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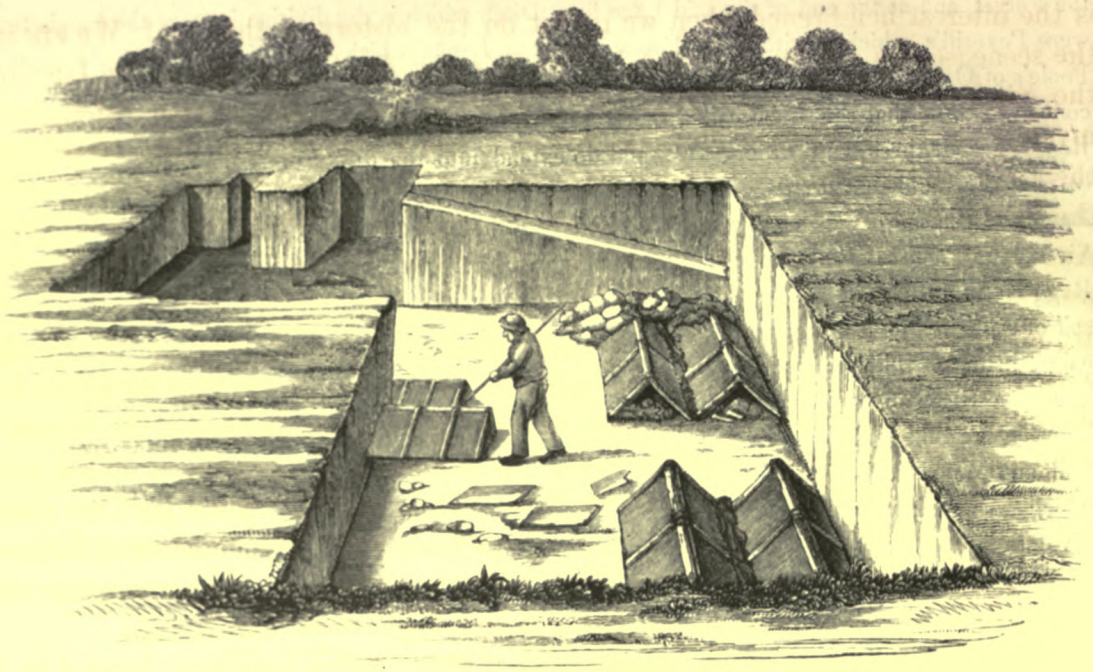
the Forest, and at the end of the said Lane by a Ditch which is the division betwixt the Lands that were Peverill's, which is within the Forest, and the Lands which were Nevill's, then Sir Henry Poole's of Oaksey, kn^{t}, which was without the Forest, to a place called the Frith's End, which they conceived to be that they then called the Dutchy Ragg, which said Dutchy Ragg, with two other Raggs, are all three within the Forest, and do extend into the said Forest, and shooting together betwixt the Land that was Peverill's to the great Lodge Rails, and so between the soil of the Dutchy Ragg and the soil of said Henry Poole, knight, to a meare which is the division of the soil of said Sir Henry Poole and Sir John Hungerford, at a parcel of Wood called Pouchers Raggs, which Ragg is within the Forest, and so by the same meare to a Ditch which is the Division between the soil of said Sir John Hungerford and said Sir Henry Poole, which Ditch extendeth near to a Place called Munck's Rails, and so by the Brooke to Stoke Bridge, and from Stoke Bridge by a straight line to a Place in Stoke March called Scholars Cross, which they conceived to be the Division between the Soil and Woods of aforesaid Hugh Peverill, which was within the Forest, and the Soil and Woods called the Dutchy Woods, late the Woods of Henry de Lacey Earl of Lincoln, which was without the Forrest, to the Meare, and then turn trow Meare, which said Meare divideth said Dutchy Woods and the Exchequer Woods, until you come unto said Charnam Oak.



ROMAN TOMBS IN THE NECROPOLIS AT CUMÆ.

XIX.—*The City of Cumæ, and the recent Excavations there. Communicated by* Arthur Ashpitel, *Esq. F.R.A.S., F.S.A. &c.*

Read 18 June, 1857.

There is scarcely a district in the world endowed with such singular beauty, and possessing such deep points of interest, as that extending about ten or twelve miles westward from Naples. A sky of such brilliancy as only Italy can shew; a sea of colours like the transparent hues of the sapphire and emerald; mountains on land and mountainous islands rising from the sea twice and thrice the height of those in Wales, and crowned with snow for a third of the year. The air of extraordinary clearness and purity, and redolent with the odours of the myrtle, orange, and citron. The earth covered with rich crops of maize, the vine hanging in a cordage of festoons from tree to tree, huge groves of figs and olives twisted in every fantastic form, and interspersed with the feathery palm, forests of pine, leccio, and cypress, all form a scene of beauty difficult to describe. But how

is the interest heightened when we reflect on the history of the spot! We are in the scene so exquisitely described by Virgil in the Æneid. Here are the Isles of the Sirens and of Circe, the Tomb of Misenus, the Grotto of the Sibyl, the mysterious River Cocytus, the Lake Avernus, and the Elysian Fields. Here, too, the great poet is supposed to have been interred. The heights are crowned with the remains of sumptuous villas, where Cæsar, Crassus, Pompey, Lucullus, and Augustus feasted, and where Cicero penned his best philosophical works. At Baiæ was the favoured haunt of Horace; "Nullus in orbe sinus Baiis prælucet amœnis,"[a] are his words to Mæcenas. Here, too, was the Ager Falernus, which produced the wine which he celebrates with such gusto.[b] Here, also, is the spot to which we shall especially have to refer,—Cumæ, the seat of the sibyl Deiphobe, the "vacuæ Cumæ" of Juvenal,[c] the "quieta Cyme" of Statius,[d] and probably so called as a contrast to the bustling and licentious Baiæ. It is here the great poet has fixed the residence of his friend Umbritius, in one of those noble, those immortal Satires, described by Dr. Johnson as taking the highest moral tone, as pronouncing the greatest moral truths, next to the sacred Scriptures themselves.

The aspect, however, of the greater part of this country has been changed by a most singular and most marvellous circumstance.[e] In September, 1538, a succession of shocks of an earthquake, sometimes twenty in a day, suddenly upheaved the whole coast for a length of six or eight miles, so that the sea appeared to recede 200 feet, and fish were left on dry land. Shortly after the ancient trachytic lava, the subsoil of the district, sank to a depth of from 14 to 20 feet, volumes of steam burst forth from the ground, and clouds of heavy black ashes covered the whole country, some of which reached Naples itself, eight miles off. The lighter ashes are said to have been driven, in the form of very fine dust, as far as the Val di Diano in Calabria, a distance of 150 miles. On the third day it was found that a mountain had been formed, now called Monte Nuovo, 440 feet above the level of the sea, and nearly two miles round. In Sir William Hamilton's time the crater was nearly as deep as the mountain was high. It may easily be imagined what a change was made in the country: the Lucrine Lake, where the Roman navy were

[a] Horat. Epist. i. 1. 83.

[b] Horat. Carm. i. 20, 10; ii. 3, 8. See also Pliny, xiv. 6, 8.

[c] Juven. Sat. iii. 2.

[d] Statius, Sylv. iv. 3, 65.

[e] The best account of these eruptions is given by Simone Porzio, a physician, in a tract, called "De Conflagratione Agri Puteolani," afterwards reprinted in his collected works. There are also three MSS. in the collection presented to the British Museum by Sir William Hamilton, written by Francisco di Nero, Marcantonio dei Falconi, and Pietro di Toledo.

accustomed to lie, was half filled up, and the connexion between it and the sea cut off, so that the water rose into the Grotto of the Sibyl. It is probable there have been several alternate depressions and elevations on this coast as well as the one last described, for the Temple of Serapis at Pozzuoli has evident marks of sea-worms on the columns, which are now much above the sea level.[a] At any rate, all round the coast are the ruins of houses, villas, baths, pavements, now submerged in the ocean. I know no sight more affecting than to watch these remains below the deep clear water, and to see the fish gliding over the marble pavements, and the seaweed clinging to the gilded walls once covered with beautiful pictures.

Before narrating the discoveries, the subject of this paper, I will shortly describe the spot, which is almost unknown to the ordinary traveller. The ancient town of Cumæ was situate on the east side of the Bay of Gaeta,[b] lying between the three lakes, Licola,[c] Averno, and Fusaro;[d] and it apparently formed a triangle of considerable size. Its only gateway now remaining is the Arco Felice, which crosses the road from Naples, in a deep cutting through the hills. It is of brick, 60 feet high, having a single arch about 18 feet wide. There are wing walls likewise of brick with several niches. As at the Highgate Archway, a road crossed at the top joining hill to hill, the main road entering the city under the great arch: an aqueduct is also supposed to have traversed it. Within the precinct of the old city is a quantity of waste land covered with myrtle, leccio, and underwood of the thickest growth. Here and there are some very fine vineyards, with a few scattered cottages of the contadini. Above the city towers the ancient arx, or citadel,[e] on a steep rock accessible only on one side, and that with difficulty: it has probably been of volcanic formation. On it are the remains of the old fortress, huge masses of almost cyclopean masonry surmounted by Roman reticulated brickwork, and this again by the walls of the Gothic castle. It was the resort of a nest of pirates in the thirteenth century, and was taken by storm by Godfrey of Montefuscolo, who dismantled it entirely. On this arx, or acropolis, was the celebrated Temple of Apollo, and close by, a cave, "antrum immane," where the Sibyl dwelt, both described by Virgil.[f] Of the former, the only probable remains are a portion of a Doric fluted column and one capital, all in

[a] See paper by Sir Edmund Head, read at the Society, Dec. 10, 1857, hereafter printed.

[b] Sinus Caietanus.

[c] Supposed to be the "Literna Palus" of Silius Italicus, vii. 278 (though the passage is vague), and of Statius, Sylv. iv. 3, 66, immediately following the passage *supra*.

[d] There is little doubt, from Pliny, iii. 9, that the Lago Fusaro must be the Palus Acherusia, as he says the Acherusian Marsh, or Lake, is near Cumæ.

[e] Now called "La Rocca di Cuma."

[f] Æneid, vi. 41.

the oldest style. A vast dark opening is said to be the entrance to the Cave of the Sibyl, though the more popular account says its site was near the Lake Avernus, in a cave which has been often described. The remains still visible are those of a large amphitheatre, the middle of which is filled by earth, trees, and vines: the external part is visible, and seems to have had a colonnade; there are the vestiges of twenty-one ranges of steps, and of the place for the velarium. There are also the remains of a square vaulted cella, now called the Temple of the Giant, from a colossal statue of Jupiter found there, which is now in the Museo Borbonico. In 1606 a temple of Augustus was discovered by Cardinal Acquaviva, from whence some statues were taken; but this is now quite destroyed. In 1839 a temple of Serapis was found, from whence some large Egyptian objects were obtained. All these have been described in various works.

The real difficulty in excavating the city is simply that the land and the vines on it are so valuable; it is said, indeed, to produce the finest grapes on that side of Naples; and there is little doubt, with proper care, a wine might be made there equal to the famous Lacrima Cristi, from the foot of Vesuvius. The destruction, therefore, of the vines entails a most serious loss to the proprietor, besides the cost of the labour of the excavation itself. Notwithstanding this, the Prince of Syracuse, so favourably known to the artistic and archæological world, determined to devote some considerable time and expense to developing the remains of antiquity which might be found there, and, with extreme kindness, an opportunity was given me of being present on one of the occasions.

On arriving at the spot I found an excavation in the middle of the old city about 7 feet deep, in which were some large sculptured blocks of white marble, and Corinthian columns of cipollino. The greater part of these columns had been removed to Naples, as the proprietor seemed very anxious to have his ground made good again as soon as possible. I was informed the temple had been about 100 feet long, and had a semicircular end. From a statue of Diana with a dog, it was very naturally concluded to be a temple dedicated to that deity. The work was very beautifully executed, though of a late style of art. I made a sketch of one of the capitals, which seem of the Imperial period. Three inscriptions were found, or rather fragments of inscriptions. One on a piece of a frieze,

LVCCE . . . . . ETIS · S · P ;

another on a small marble base—

CN · LVCCEIVS · CN · F · GEML
FRATER . . .

and on another fragment—

. . . . . LVCCEI

A . . .

The Lucceii were a well-known ancient family at Rome; one of them, Cneius Lucceius, was friendly with Marcus Brutus, and visited Cicero[a] at his villa at Pozzuoli. Several inscriptions are there found to that family, which show them to have been of importance; and it seems more than probable that the first inscription here quoted, being on a frieze, and having the letters S. P. "suâ pecuniâ," proves the temple to have been founded by one of them. There was probably a statue to another of the family, according to the second inscription. A piece of lead pipe was also found here bearing the name M · BENNI · RVFI, who is supposed to have been Consul with Q. Cæcilius, A.D. 7.

Close to this building are some large steps of marble, which appear to mark the site of another important building, or to be those leading to the open space of a forum.

After examining these objects, I proceeded to the great necropolis of the city, with little doubt one of the most curious in the world. Here rest the remains of the dead of Cumæ during many centuries. The Roman sepultures are immediately under the present surface, some not more than 4 feet. Those of the Greek period are below these, while about 30 feet below the present surface are found interments of a very curious and archaic character. Each of these classes deserves an account in its turn.

The first excavation[b] I visited measured about 15 feet by 20 feet, and was about 4 to 5 feet deep. This seems to have been the necropolis of the poor, who are congregated together in large numbers, lying side by side in some instances, in others crosswise, the feet being to any point of the compass. This method of sepulture is extremely simple; two ranges of common tiles, measuring about 1 foot 9 inches by 1 foot 5 inches, are placed edgewise, meeting together at the top like the sides of the roof of a house. On this top is a range of semicircular tiles,[c] which in fact form a sort of ridge. Within these structures hundreds of bodies

[a] Cicero ad Atticum, xvi. 5.

[b] See vignette, p. 316.

[c] These exactly resemble the interments found near York in 1768 by Dr. Burton, and given in the Archæologia, vol. II. p. 177, with this exception, that the sloping tiles at Cumæ are quite straight on the face, and not curved or bent, as those described above. The sizes are just the same. The Italians still call such tiles *tegola*, and the ridge-tiles *imbrice*—the old Roman *tegula* and *imbrex*.

are found. As has been said before, the feet of the dead were laid to any point of the compass. There were a great many different objects found in nearly all of them. Small vessels, of different sorts, pateræ, jugs of the form of "prochoos," coins, and in almost all what used to be called a lachrymatory, but which is more probably considered as a vessel for containing ointment or balsams. In these Roman tombs, which are easily distinguished by the coins found in them (some as late as Diocletian), the objects are almost always placed at the side of the body, as all the workmen agreed in informing me. The method of proceeding with the excavation is very simple. On arriving at the ridge-tiles the earth is carefully cleared away, the tiles lifted one by one, and the objects removed by hand. The tool principally used is the long-handled *vanga*, a species of heart-shaped spade, or a large hoe.

Besides these interments under tiles, large ollæ, or coarse pots,[a] about a foot in height, and rather more in width, are found. Some of these have two ears or handles, others only one. The opening at the top is about six inches wide. These are filled with calcined bones and ashes; but in none of these, they told me, do they find coins. They are probably the interments of a better class: the poor being buried and not burned, as the fuel for the funeral pyre was expensive. The absence of coins is curious. Whether the richer classes were above the superstition of Charon's penny, or whether the money was usually lost in the pyre among the ashes, is not clear.

But there are other Roman tombs belonging to the rich of much greater pretensions, and these are mostly regular chambers, like those scattered all over Italy. In one of these, which was opened by the Prince himself, a most curious discovery was made. The tomb was nearly square, measuring a little more than 9 feet each way. The lower part was of rough tufo, the upper of brick, and it was vaulted. It had a very narrow doorway, which was blocked up with masonry, on removing which a very singular scene presented itself. Round three sides of the cell was a sort of raised platform or shelf, about 2 feet 6 inches wide, on which were the remains of four skeletons. Two lay separately, one on the right of the door, and one fronting the entrance; and two occupied the left bench or shelf, and lay side by side. As the light entered the tomb, Professor Minervini says, a most startling sight presented itself. The heads of these two last seemed to be entire, while the rest of the figure was a bare skeleton, and the eyes seemed open, and glistened as the light fell on them. A second glance showed these heads were of wax, and the eyes of a sort of glass paste. All the skeletons were without skulls,

[a] See vignette at the end of this paper, p. 334.

and it was clear the place of the missing heads in these two had been supplied by wax models previous to their interment. One was evidently that of a female, the other of a male. The first, unluckily, on being touched, fell into powder; the second escaped with a slight fracture, was most carefully removed, and placed under a glass in the Museo Borbonico, in one of the rooms containing the frescoes from Pompeii.

A most careful search was immediately instituted into the other contents of the tomb. There were found first a number of very thin plates of bone, about 5 or 6 inches long, and an inch wide. These were supposed with great reason to have been the "sticks," as we call them, of a lady's fan. There were also six small vases of glass, of the most beautiful workmanship: two of red-coloured glass, with flowers of a lighter colour inserted into the mass itself of the glass; two were of green glass, with small concentric circles in relief; and two were of white glass, with coloured flowers, also inserted in the body of the vase. An inkstand of bronze was also found, and a small casket of wood, the material of which was so decayed that the letter S only of an inscription thereon could be decyphered. It had a lock made of bronze, and contained a few small vials, some pieces of gilt terra-cotta, the remains of a necklace, two hair-pins, and a small mirror: it was evidently the dressing-case of the lady whose remains had been there entombed. Some ashes, as if those of a dead body, were scattered about; but the most instructive of all the objects found was a small brass coin of Diocletian, evidently proving the interment must have been of his period, or shortly afterwards.

So singular a discovery excited the greatest interest among the learned; and of course the first question was, whose remains they were, and why this hitherto unheard-of circumstance—the wax heads? That the Romans were acquainted with the art of working in wax every scholar knows. It was the custom at the funerals of great men to carry with them the effigies of the dead, "cerâ expressi vultus,"[a] which were taken home after the body was burnt, and placed in cases (wooden cases, says Polybius[b]), and exhibited on solemn days in the "atria" of

[a] Pliny, xxxv. 2. The passage is very curious, and, though often cited, has hardly ever been given at length. After describing a great number of ways of making likenesses, as pictures, bronzes, &c. he says, "It was otherwise with our ancestors of those things which we see in their halls (apud majores in atriis); they are not statues (signa) of foreign artists, nor bronze, nor marble, but their faces pressed in wax are disposed in separate closets (singulis armariis), so that they may be images which may accompany the funerals of those of gentle blood" (gentilitia funera). We have no exact word in English to express "gens:" it is more analogous to the Scotch word "clan" than any phrase we have.

[b] Polybius, Hist. vi. 51. He gives a long account of the Roman funerals and the images carried there in procession, and an eloquent appeal to the feelings of those who witness the procession of the representation

the houses. On these "imagines" were placed the "tituli," or rank and quality of the deceased.[a] Becker says, and with reason, this right, or "jus imaginum," was the exclusive privilege of the "nobiles;" and we also learn from two passages of Juvenal, and one of Tacitus,[b] that in cases of treason, or any great crime, these figures were delivered up to the executioner to be destroyed publicly. The way in which these predecessors of Mrs. Salmon and of Madame Tussaud proceeded is described by Pliny, lib. xxxv. cap. 43, 44. He says it was the invention of Lysistratus of Sicyon, the brother of Lysippus; that they first took the form of the face in gypsum (plaster of Paris), in the way invented by Dibutades, and then squeezed wax into this form or mould, and so obtained the likeness. Thus were made the "imagines" which were placed in the Roman halls, like the family pictures in our houses. In this sepulchre the wax heads had been attached to the rest of the body, the real heads, or skulls, being quite gone, and had formed part of the interment. What was the cause of this? It seemed clear the bodies had been decapitated, and the heads taken away, and were missing at the time of the funeral.

It was said immediately—There is a coin of Diocletian; that emperor was a notorious persecutor; therefore these are the bodies of Christian martyrs, beheaded by him on account of their faith, and that the inkstand was a reliquary, and what was supposed to be ink was the blood their sorrowing friends had gathered at the time of the execution. Some years ago this opinion would have been eagerly credited, and new names added to the calendar of saints and martyrs; but the aid of chemical analysis was called in, and the remains in the bottle proved clearly to be ink. Besides this, it was asked, Why should the coin of their persecutor and murderer be placed in the tomb of the victims? In all probability, the coin was a "naulus," or offering to Charon, the passage-money of his grim ferry-boat. It was also asked, Why, if they were Christians, were they interred among the heathen? why should they be laid among idols and their worshippers, a thing we know to be very repulsive to the habits and feelings of the early Christians? Again, the heads are representations of persons living, and having the eyes open. The probability is, that, were these the representations of departed Christians, they would have been shown with the eyes closed in the sleep of death: the

of departed greatness. He says, "When they have buried them, and have performed all the rites, they place the images of the departed in the most conspicuous parts of the houses, surrounding them with small wooden shrines" ξυλινα ναϊδια.

[a] We should gather from the passage in Pliny, that sometimes the "stemmata" or pedigrees were placed on or under the "imagines."

[b] Juvenal, viii. 18, x. 58; Tacitus, Annal. vi. 2, alluding to the fall of Sejanus.

very word used by them for their places of interment being κοιμητηριον, "cemetery, or place of the sleepers." Besides this, no symbol whatever of martyrdom, no emblem, trace, or vestige of Christianity, in any shape was found. One very curious circumstance was, that the ears of the male figure were pierced with two holes, evidently intended to receive ear-rings. These ornaments are of the remotest antiquity. Homer (Iliad, xiv. 182) mentions them among part of Juno's dress; Xenophon (Anabasis, iii. 1, 31) mentions them as part of the dress of the Lydian men, as Diodorus (v. 45) does of the Persian men; and Pliny (Hist. Nat. xi. 50)[a] mentions the custom of women wearing pearls in their ears, and adds, "In the East it is thought honourable for men also to wear gold in their ears." From this circumstance the bodies were immediately pronounced to be those of foreigners; some supposing them to be Persians, others from Alexandria, although there was nothing of Oriental character about either the tomb or the articles found there. It is not improbable, however, from the ornaments and apparent wealth of the parties, that they were "libertini," or emancipated slaves, who, as we know, frequently amassed considerable wealth. In the first Satire of Juvenal[b] the libertinus says, "I am first—why should I be backward in keeping my place, though I was born by the Euphrates? The effeminate holes (*molles fenestræ*) in my ears would prove this, even if I should deny it. But I have got five shops, which bring me in forty sestertia (about £320). I am richer than Pallas or Licinius:" the two last named were also freed men—the one of Claudius, the other of Augustus.

Then came the question, how did these four bodies lose their heads? Was it by the hand of the executioner? This, it was said, could not be the case, as the bodies of those who were beheaded were dragged along to the next river by a hook, and thrown in, to become a prey to the fishes or birds. Passages in Juvenal, Suetonius, and many other authors, were cited to prove this. But much more to the purpose was a passage from Ulpian (Digest. xlviii. tit. 24), "Let not the bodies of those condemned to be beheaded be denied to their relations, though sometimes this is not to be permitted in case of those condemned for treason:" proving that before this time the bodies of those beheaded were invariably denied the rights of sepulture.

Then came a most singular theory, that the heads had been taken away for magical purposes; and passages were quoted from Apuleius and Lucan as to the plunder of tombs and dismemberment of corpses by the witches for the purposes of incantation; an idea which prevailed up to Shakespeare's time, and, in fact, very

[a] There are many other authorities among classic writers.

[b] Juvenal, Satir. i. 102.

much later. But I remarked to Professor Minervini how absolutely improbable it seemed that the witch who broke open the tomb should be at the trouble of getting two wax heads made, and placing them where no one would ever see them; and why such a thing should be done in two cases only, instead of all the four? I ventured to remind the Professor of the passages in Plutarch; and Dion Cassius,[a] describing the assassination of Cicero by Antony's soldiers, "They cut off his head, which was afterwards given to Fulvia;" and of course the body was burnt or buried without it. I suggested, that probably the skeletons were those of some wealthy freedman and his family, who had been murdered in some of the tumults so common between the times of Diocletian and Constantine, that their heads were carried away as trophies, a price probably having been placed on them. I also suggested the family might have possessed busts or casts of the heads of two of them taken during their lives, for it is clear, from the expression of the features, particularly the nostrils, these heads were not made from casts taken after death; in fact, had they possessed the real heads, what need of wax? These busts would not be kept as "imagines," for it is clear the parties were not "nobiles;" and thus the survivors may have thought them best employed in supplying the place of the missing heads. How near the truth these suggestions may be I cannot say, but I think they are free from many of the objections made to the others.

We now come to the consideration of the second stratum of tombs, so to speak, which are about 15 feet below the surface, and which are evidently of Greek origin. These are very numerous, and are mostly formed of blocks of stone, the tufo of the country. Some are only just long and wide enough to contain the body and a few vases, and are covered with large flat stones; others are somewhat larger, and are covered by long stones, laid sloping like a roof; others are a sort of small houses, also covered with long slabs of stone in single lengths, leaning against each other, and meeting in a sharp point or ridge, forming a steep roof, and with an entrance at one end. Of course, I inquired what peculiarities had been remarked, and was told that in the Greek tombs the feet of the bodies were always turned to the west, while in the Roman interments they are to any point of the compass. The various objects found in Greek tombs are mostly at the feet; a large vase is invariably found in that position; while in the Roman tombs they are almost always by the side of the body. Again, in the Roman tombs what used to be called "lachrymatories" are almost always found; in

[a] Plut. in Vita Cic.; Dion Cass. 46.

Greek tombs they never exist. It will be remembered that the tombs are generally identified as being Greek or Roman, by the coins found in them.

Many of these tombs have been opened and plundered at some very remote period, certainly not later than Roman times; others contain articles of the greatest value and curiosity. Fourteen tombs were opened, thirteen averaging 7 feet 6 inches long, 2 feet wide, and 2 feet 6 inches high; one (in which were two bodies) was of the same length, but nearly 4 feet wide, and 2 feet 9 inches high. It may serve to elucidate the subject if I state that in these the following articles were found:—

Goldsmiths' Work.—Two ear-rings of silver, covered with very thin plates of gold, and several fragments of silver rings.

Gems.—A scarabæus representing, on a plane face, Hercules seizing a stag by the horns with his left hand, and about to strike it with his club with the right.

Bronze.—Four circular and one square mirror without engraving, a small spoon, a small circular vessel, and two strigils.

Ivory and Bone.—A small sitting figure of Minerva in bas-relief, with helmet, spear, and shield, about 3 inches high, and $2\frac{1}{4}$ inches wide; and a fragment of another figure representing Mars; and some dice.

Alabaster.—A great many small unguentaries, some of the form "lekythos," and others of those called "alabastron."

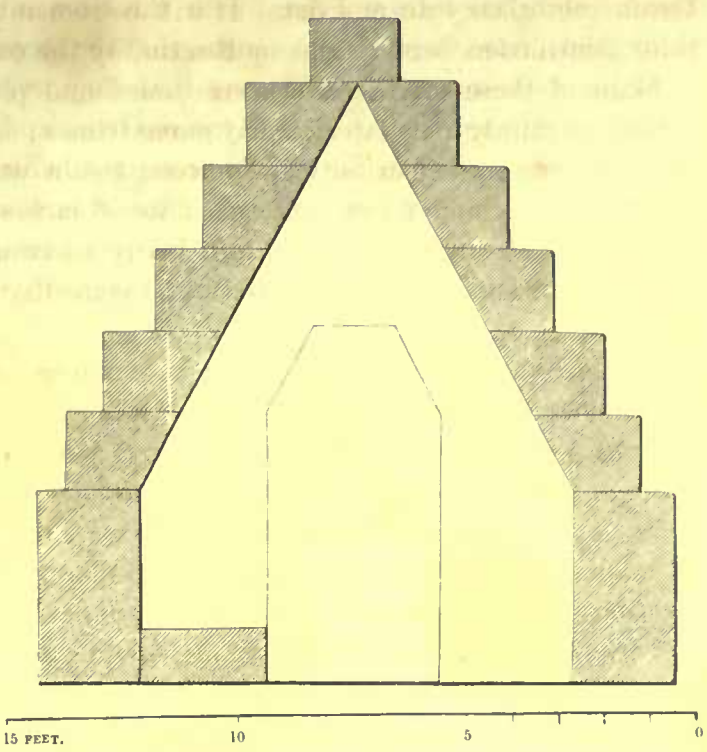
Terracottas.—A large number of vases of the usual types, with Bacchic subjects.

Glass.—A number of small vases, some coloured and some plain; a few very small amphoræ; and some objects supposed to be playthings.

Coins.—A great many of bronze, in bad preservation, except a few, having the head of Apollo crowned with laurel on one side, on the other a demi-bull with a human face, the inscription ΝΕΟΠΟΛΙΤΕΩΝ.

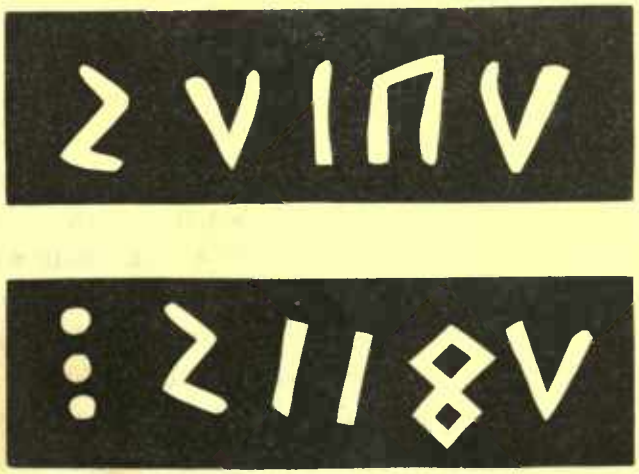
Among others a very curious Greek tomb was discovered, 7 feet long, 4 feet 9 inches wide, and 4 feet 3 inches high, to the beginning of the roof; this was of tufo, rough outside, and worked fair inside; the door was of one huge piece of stone, also rough on the outside. Lines in red, white, and black were painted round the circular aperture over the door. The inside was painted white, with a sort of red skirting; on the walls some red lines, between which was a Greek meander painted in black; besides this, on the end opposite the door, was painted in red, yellow, and black a very large palmette, which nearly filled up the end. On a sort of raised shelf was a quantity of ashes and burnt bones. A vessel of bronze of the form "prochoos," and some common

vessels of clay, were found. Besides this was some beautiful pottery of Greek workmanship, with an excellent jet black glaze, sparingly ornamented with gold near the handles; and there was one which excited the greatest interest. It was a vase of similar manufacture, with an inscription in gold. There were but two words, but those words were Oscan, and no doubt read VPILS UFIIS.



SECTION: LARGE GREEK TOMB, CUMÆ.

This was probably the name of the tenant of the tomb, for it seems too large and conspicuous to be read as the name of the potter, and was no doubt the ancient form of Opilius Ofius. That such an inscription should be found in what might be designated as a family tomb or vault excited the greatest interest. About the year 420 the City of Cumæ was conquered by the Samnites, as will be shown hereafter: the Cumæans, who were Greek colonists, were defeated, the city pillaged, such of the men as could not escape to Neapolis were put to the sword, and their wives and daughters seized by the conquerors; it was held by the Samnites as a colony, and so it remained till, like the rest of Italy, it

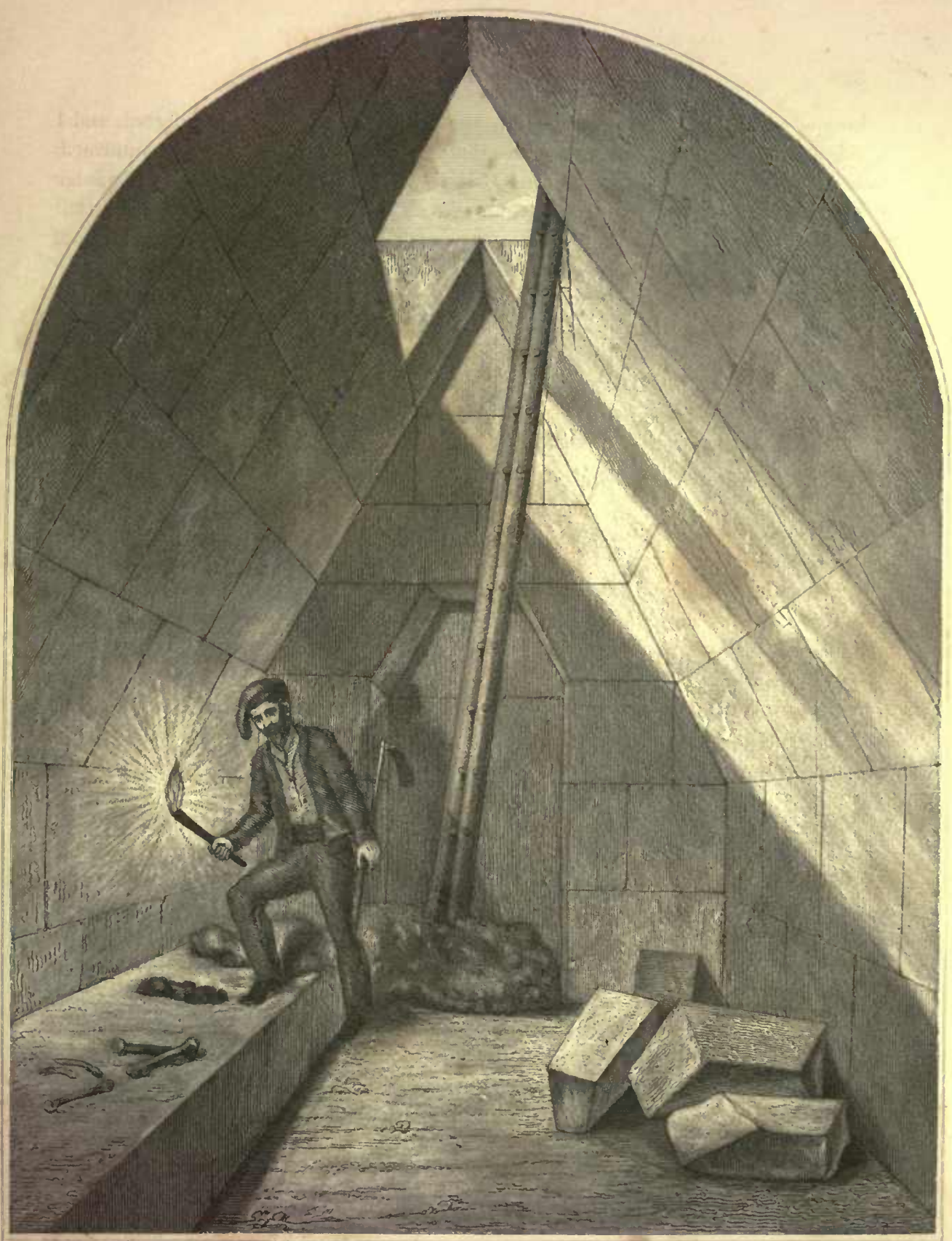


OSCAN INSCRIPTION, CUMÆ.

became absorbed into and fused with the Roman nation. It was inferred, and I think fairly, from these circumstances, that the account of Livy (x. 20) is confirmed, as to the Samnites speaking Oscan; that they were not without some knowledge of the arts, though they used nearly pure Greek and not Etruscan forms; and that the tomb was later than the Samnite conquest, which took place about the time of Pericles. At a time when the learned are so earnestly occupied with investigating everything relating to the Oscan and Etruscan languages, every line, every word, almost every letter, is of deep interest; especially when there can be no doubt as to the locality of the discovery.

Another tomb (Plate VII.) had just been opened, much larger than any of the others;[a] but, as it seemed to have been plundered, it excited but little attention. On visiting it, I was much struck by its size; a stone had been removed from the top, leaving a large aperture, and I determined to explore it. Taking a vine-dresser's rough ladder, I descended, when the workmen seemed seized with a panic; they think every tomb is haunted (at Fiesole they used to call the vaults under the theatre "buchi delle fate," or fairy-holes), and they all ran to my friend, and told him I had gone into the tomb. He thought they said I had fallen in, and came in a great hurry to my assistance, and was as much struck with it as myself. It is nearly 10 feet square, the walls 4 feet high, and to the point of the ridge is nearly 13 feet high. Its cubic contents are five or six times as large as most of the others. But the most curious fact was that it was roofed with large pieces of stone overlapping each other till they met in a ridge, and afterwards worked fair inside, not in a curve or false arch, like the treasury of Atreus, or the walls of Tiryns, or the entrance to the Regulini-Galassi Tomb, but perfectly straight; the courses are about 2 feet deep. I could not see the outside or back of the roof, on account of the great accumulation of rubbish, but the workmen told me that the stones were about 2 feet 6 inches in width, or bed; their lengths varied, but, if the men were correct, none weighed much less than $1\frac{1}{4}$ ton. There had been a door with a sort of canted head, but this had disappeared, and the opening was filled up with late masonry, probably Roman. On two sides of the tomb was a raised shelf, about a foot high; but the tomb had been stripped of everything, except the vestiges of a few bones. Of course I mentioned this very singular discovery, and found no one could recollect such an instance anywhere, and arrangements were made for taking careful plans of it. This, however, seems never to have been done, for I received a note from Naples the other day requesting copies of the plans, &c. which I had taken; a request, of course, I instantly and gladly complied with. It was deeply to be regretted that neither coin nor vase was

[a] See section, page 327.



A. Ashpitel, F.S.A. del. *J. Basire, sc.*

INTERIOR OF LARGE CREEK TOMB AT CUMA.

found from which a date might be inferred. From the general design, and from its position, it clearly is of the Greek period; and, being too large to be covered with pieces of stone in one length from the wall to the ridge, the system of corbelling over was adopted. The probability is, the tomb was constructed before the invention of the arch, or at any rate by a people ignorant of that method of covering open spaces. That the Etruscans were acquainted with the use of the arch is easily shown from the Cloaca Maxima at Rome, and from several tombs discovered by my friend Mr. Dennis; and these works must have been executed during the palmiest days of Cumæ. What the Greeks knew of the arch we have yet to ascertain.

We come now to the third or lowest series of the tombs. These are found from twenty to thirty feet below the surface, and are chiefly mere interments in the ground. Hollow places or caves have been dug, large enough to receive the body, and in many instances it is but a sort of common grave, roughly covered with pieces of stone. The skeletons are so far decayed as to fall to powder on exposure to the air. There are other interments, which seem to be those of persons of higher rank. These consist of large ollæ,[a] which are filled with burnt bones, ashes, &c. and are surrounded and covered with large pieces of tufo, apparently for the protection of the contents. In these graves are many vases, rings, fibulæ, beads, &c. but there is nothing of Italo-Greek work, as might be expected; they contain, however, very curious and rude archaic vases, which will presently be described.

After I had left Italy, some excavations were made in a piece of ground adjacent to that of the Prince, and some articles dug up of similar description. One very fine œnochoe, and some specimens of alabastra, bombylii, &c. a bronze fibula, a curious little bronze vessel for heating water, or burning incense, and a very singular and, I believe, unique scent-bottle were kindly sent to me.[b] There were also found some objects in glass of great curiosity, which were consigned to me, with a request to forward them to the Duc de Luynes, but with permission to sketch them. One was a Roman funereal urn of the usual shape, full of burnt bones and pieces of charcoal; there are several of similar form in the British Museum. Another is a most curious and singular article, said to be entirely unique. It is the flat vessel, formed of a rim of bronze, with a bronze handle, like the handle of a common pail, to which is attached a chain; the bottom is very flat, made of glass, with radiating ribs, and six knobs, forming short feet for the vessel to stand on. It is $9\frac{3}{4}$ inches across, and but $2\frac{1}{4}$ inches deep. The glass is of great antiquity, as is evidenced by its iridescence. The use of the

[a] See vignette at the end of this paper.

[b] See vignette, page 331.

GLASS FUNEREAL VASE FROM CUMÆ.

GLASS AND BRONZE VESSEL.

vessel is very problematical: the chain would lead us to infer it had been suspended over a fire as a cooking-vessel, or it may have been used for religious purposes. I made a careful drawing, from which the following representation is taken. But a far more curious article of glass was a small elegant statuette, apparently of a deity, standing on a small pedestal. This was also consigned to the Duc de Luynes; and, having read the description, I certainly opened the case with the greatest expectation. To my amazement I found a pedestal, it is true, of ancient glass, but on it, instead of an elegant figure, was a strange grotesque monster. It had a flat head with open jaws, something like that of a crocodile, and a tail which finished with a sort of cup. It was covered with a species of bulbs, and was hollow, and seemed to have been intended for a lamp. The upper part appeared to be of Venetian work, and yet it was covered with a very early iridescence. I took these articles over to Paris myself; and, on showing this to my friend who had discovered them, he instantly exclaimed, "This is not what I saw dug up." "No," I replied, "I suppose not, but how shall we proceed to investigate it?" At last we determined to turn a jet of steam on the junction of the stem and upper part, when we found the former had been dexterously attached to the latter by a sort of wax cement; the flakes of iridescent glass likewise came off, and the cheat was proved. The fact is that the statuette of glass was of the greatest value, probably quite unique, and either the

person intrusted with it, or some one at the Italian Custom-house, had stolen it, and, being obliged to send over something, had substituted a piece of mediæval grotesque.

But to return: among the lower range of tombs, as has before been stated, are a great number of very early articles of pottery. Some are of the simplest and rudest manufacture; others have plain lines or bands on them; others are ornamented with figures. The ground is without glaze, of a common greyish yellow colour; the figures black, relieved here and there with red, and with lines etched or rather scratched on them with a sharp tool. The figures on them are mostly huge birds, almost like turkeys, animals of the feline tribe with very sharp noses, somewhat like that of the lynx, antelopes, large birds with female human heads; many of the animals have two bodies joined to one head, and all are of a very archaic character. Vessels of similar forms are scattered about through Italy, and it is clear are of the earliest work there. Here, at Cumæ, they are found in great numbers among the very early interments, and it is not too much to suppose were the work of those buried there.

On discussing the matter I found they were frequently called Egyptian, but there seemed nothing about them like the emblems of that nation. It is true the early rude pottery of all countries is very much alike. A common pot of common

GROUP OF VASES, ETC.

[The circular vessel is of clay of pale colour, and is probably unique. It is supposed to have been a scent-bottle, and that a string passed through the loops at the side by which it was suspended from the wrist or neck. The small vase with the dolphin at the top is of bronze.]

clay is much the same everywhere; but as soon as it begins to be ornamented we may guess where it was made. Now there is no lotus, no scarabæus, nor any Egyptian emblem: the bird with a woman's head may be said to be a species of sphynx; but it is not an Egyptian sphynx, which is a lion, with the head of a man, and always without wings. They are not at all likely to be the work of the aboriginal tribes, for they are found in the tombs of the early settlers, and are covered with representations of animals (the antelope, panther, &c.) which did not exist in Italy. It was then suggested they might be Etruscan or Phœnician.

A very long and interesting discussion arose, when I suggested we should go to the library, and look a little closer into the history of the place. We have the clearest evidence from Strabo (v. 243), that Cumæ was the earliest Greek colony in Italy. His account is very clear and conclusive. He says it was formed by a joint colony from Chalcis in Eubœa, under Megasthenes, and from Cyme in Æolis, under Hippocles; and that by an arrangement between the two it took the name of its Asiatic parent, Cyme, or Cume. Its Asiatic origin is alluded to again and again by poets and historians. The fertility of the land, and its fine harbour, speedily brought it into reputation as an important town. It founded Naples as a colony, and is also said to have done the same for Nola and Abella. About the year 500 it seems to have attracted the envious notice of the Etruscans, who were then rapidly overrunning Italy; and we have a very long and circumstantial account of the transactions that followed in the seventh book of Dionysius of Halicarnassus. An enormous army of Etruscans, Umbrians, and Daunians was levied, but was repulsed by the Cumæans with great triumph. This was about the year 500 B.C. The Etruscans about thirty years after took a safer way to weaken and humble their enemy. They joined their fleet with that of Carthage, impeded their commerce, and threatened the safety of the city. The Cumæans, however, formed a league with the famous Hiero, king of Syracuse, who, joining his fleet with theirs, engaged the Etruscans in a naval battle,[a] and gained such a victory that they never recovered their naval power. There is a very full account of this in Diodorus (xi. 51), and it is mentioned in one[b] of Pindar's Pythian Odes. Scarcely half a century afterwards, as we learn from Diodorus, xii. 76, Livy, iv. 44, and Strabo, v. 243, the Samnites made themselves masters of Capua: they fought the Cumæans, and, after defeating them in the field, sacked the city, as has before been stated, killing all the men except those

[a] The bronze helmet of an Etruscan form, dedicated by Hiero to Jupiter Olympius, from the spoils of the battle off Cumæ, was found at Olympia, and is now preserved in the British Museum. See Rose, Inscriptiones Græcæ, p. 66.

[b] The first.

who escaped to Naples, and made Cumæ, as Velleius Paterculus[a] states, an Oscan city.

Now in this account there is not a word about anything Phœnician. The colony is not of that origin, but from Greece and Asia Minor. The Phœnicians, it is true, were a most active maritime people, and had colonies in Sicily, and nearly all round the coast of Africa eastward of the Nile. But it is equally true they had no colonies in Italy. What distinguishing features their arts may have had we do not know, but there is every probability they were unlike Greek. They were a Semitic people, spoke a Semitic language, and, if we are to believe Herodotus, l. i. 7, 89, who made a voyage himself to Tyre to inquire into their antiquities, they were but strangers and colonizers in Palestine, having come from the Erythrean sea. I must confess it seems to me as much begging the question to call these objects Phœnician as Egyptian. Are they, then, Etruscan? It is true many similar things are found in Etruria; but the Etruscans never had dominion in Cumæ; they tried, it is true, and failed signally. On the vases may be some things in common with objects found in Tuscany, such as panthers and deer, but no positive Etruscan emblem or inscription has been found.[b] The form of the government of Cumæ was that of a Greek Republic; that of Etruria a mixture of aristocracy and theocracy—of Lucumones and Augurs. The Cumæan tomb is the last resting-place, the Etruscan the banqueting-hall, of the departed; the former is a narrow inclosure roofed in to prevent the earth pressing heavily on the dead, the latter a direct imitation of a dwelling-house, palace, or temple. It would be presumptuous in me to speak positively, but at present I see little analogy between the people.

It may be said, that it matters little whether the Phœnicians, the Greeks, or the Etruscans formed these unimportant vessels; but, in truth, the investigation possesses considerable interest, as it may possibly throw some little light on the greatest ethnological problem of all,—whence came the civilization of Western Europe? The general opinion is that it came from India, and a very probable opinion it is; but by what route did the arts, knowledge, and refinements of the East pass to us, and through what hands were these precious gifts conveyed? Did they travel from the Ganges to the Euphrates, from the Euphrates to the Nile, and then cross thence to the Tiber? Did the Chaldee and Assyrian instruct the

[a] Vell. Pater. i. 4. Cumanos Osca mutavit vicinia.

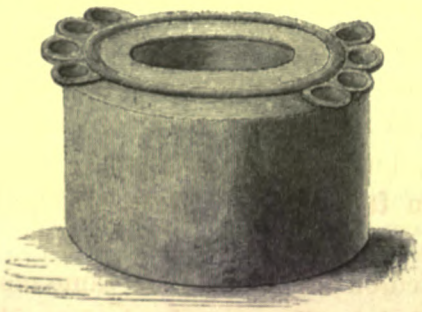
[b] I have stated that the devices on this pottery seem to betoken an Eastern origin, and accordingly we find vases with very similar designs near Corinth, and in other parts of Greece proper, the Greek Islands, and even in Asia Minor itself. They also occur not unfrequently at Nola, which I have already mentioned as probably a colony from Cumæ.

Egyptian? and was his lore the foundation of Etruscan knowledge? This has been often asserted, but there is much anomaly, much difficulty in the way: the greatest, that there is no direct trace of either the language or the religion of Egypt in Italy. Did civilization pass to Syria, and was it then conveyed by the Phœnicians to Europe? They have left no trace of either their language or religion in Italy, though they have at Carthage. There is nothing Semitic in the Italian dialects, nor did Italy ever receive the worship of Ashtoreth, or Baal; they did not erect the conical stone, nor plant the grove on the mountain top. Is it possible that from India arts and literature passed first into Asia Minor, and thence to Western Europe? If this were so, it would then be easy to conceive how the Sanscrit of Hindostan became the Greek of Asia Minor, and how the language of Homer reached Italy, and there, blended with the Oscan, became Latin; and it would be easy to conceive why the cold, gloomy, indigenous deities gave way to Zeus, Hera, and Hermes, and how the rude Saturnian verse took Greek forms, proceeding from the hexameter of Ennius to the Sapphics of Horace; how one by one the graces and conveniences of life sprung up till the people possessed

——— Delicias quoque vitæ funditus omnes,
Carmina, picturas, et dædala signa polire.

Should this have been so, the course must be traced through the history or remains of the earliest colony, and this was clearly the one we have had under our consideration, Cumæ, for we have the express authority of Strabo, that this was the earliest Greek colony either in Italy or Sicily, a colony never Phœnician, never Etruscan.

If this attempt would incite any other Fellows of the Society to follow the clue I have ventured to throw down, I shall feel myself amply repaid for the time which I have bestowed on this subject, which I believe to be one well worthy the attention of all Archæologists.



ROMAN FUNEREAL URN, OR OLLA.

XX. *Remarks on Four Deeds, of the time of Henry VI., with Seals appended; and a Memoir of Sir William Oldhalle, Knight. In a Letter to* Joseph Jackson Howard, *Esq., F.S.A. By* Weston Styleman Walford, *Esq., F.S.A.*

Read 10th December, 1857.

Dear Sir,

I have great pleasure in furnishing you with some remarks on the four Deeds, with seals, of the time of Henry VI., which you propose to lay before the Society, and also with a brief memoir of Sir William Oldhalle, whose seals are appended to those documents. A subject, that has interested me so much, may not be without interest to others.

The first Deed is dated on the 10th of July, in the 18 Hen. VI. (1440); it recites that Brian de Sandforde, Knight, had become bound by a statute staple to William Oldhalle, Knight, in £100, and had granted to him and John Lavenham a tenement in the parish of St. Olave, in "Mugwel-strete," in the ward of "Farndone" within London, viz., between a tenement of the said William Oldhalle on the south, and a tenement belonging to the hospital of the B. Mary without Bishopsgate on the north; to hold to the said William Oldhalle and John Lavenham, their heirs, and assigns; and the effect of this deed was to make the statute staple void, in case Sir William Oldhalle and John Lavenham, their heirs, or assigns should *not* be evicted by any heir of Sir Brian de Sandforde from the tenement so granted to them. There is no witness. On a label is a circular seal $1\frac{1}{2}$ inch in diameter, of red wax; the device is a shield couché, charged with a lion rampant, and ensigned at the sinister corner with a helmet having ample mantlings, and for a crest a lion's head issuing out of a coronet. The legend is imperfect, but from what remains it should seem to have been sigillum Willelmi Oldhalle militis in black letter. A woodcut of this seal is given in the margin.

SEAL OF SIR W. OLDHALLE.

The second Deed is dated on the 22nd of the same month of July; and thereby Sir William Oldhalle and John Vyncent demised to Sir Brian de Sandforde four

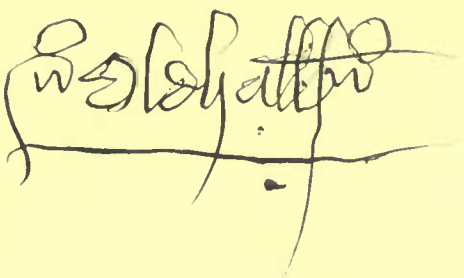
messuages in Thorpe Salvyne, which they lately had of the gift of the said Sir Brian; to hold to him, his heirs, and assigns, upon condition to be void, if Sir William Oldhalle and John Lavenham, their heirs, or assigns should *not* be evicted by any heir of Sir Brian from the tenement in "Mugwel-strete" mentioned in the preceding deed. It was witnessed by "Johanne Meltone, milite, Johanne Serleby, armigero, Nicolao Gouxille, armigero, et multis aliis." There are two seals, each on a separate label. The first is circular, 1½ inch in diameter, of red wax, having a very great resemblance to that on the preceding deed, yet apparently an impression from a different matrix; however, it has been much blurred by the matrix having been re-applied. The arms of Oldhalle, as given by Glover and others, are, Per pale *az.* (another *gu.*) and *purpure*, a lion rampant *erm.* It is a noticeable fact, that in neither of these seals is the partition line or any ermine spot shown. The absence of the former may be accounted for by the lion covering the place it would have occupied. The books are probably correct as to the arms; and, if so, we learn from these examples to be cautious how far we receive seals as evidence of coats even in regard to details of *form.* The second seal is octagonal, barely half an inch in diameter; the device is a bird, probably a raven, standing, and looking to the dexter, with something obscure in the beak; the legend, which is in black letter, I read asfo . . rw, but cannot explain it. The supposed f may possibly be a t; and it is not clear that any letter is missing between the o and the r. This we may assume to have been attached as the seal of John Vyncent.

From these two documents, both of which are indented and in Latin, I collect that Sir William Oldhalle had purchased, in the names of himself and John Lavenham, the tenement in "Mugwel-strete" (more properly called, as it now is, Monkswell-street, from a well formerly there belonging to the monks of Garindon),[a] with a defective title; and the object in taking the statute staple (then a common security) and the grant of the four messuages in Thorpe Salvin, a small village in Yorkshire, was to indemnify him in the event of his being evicted by the heir of Sir Brian de Sandforde.

The third Deed is dated on the 20th of February, 35 Henry VI. (1457.) This is indented and in English, and is in effect a contract by Sir William Oldhalle to sell to Thomas Saunder, citizen and brewer of London, a tenement with a garden in "Mugwel-strete," between a void "place of grounde" pertaining to St. Mary Spitall without Bishopsgate on the north, and the king's highway of "Mugwel-strete" aforesaid on the east part, and the tenement of Roger Chamberleyne, knight,

[a] A Cistercian abbey near Loughborough, Leicestershire.

late (of) the said Sir William Oldhalle on the south, and the wall of the city of London on the west; Sir William was to make a sure estate in fee simple by the feast of St. Martin in winter next coming; for which tenement the said Thomas was to pay to Sir William 100 marcs, *i. e.*, to retain 25*l.* 16*s.* 9*d.* in satisfaction of all sums of money due to him the said Thomas by Sir William, and also pay to Arnold Berebrewer, 24*l.* in payment of all sums of money due by Sir William to the said Arnold, and to Joan Whitehede, late wife and executrix of Simon Whitehede, wax-chandler, 7*l.* 8*s.* 6*d.*, in satisfaction of all sums of money due to her by Sir William, and to Sir William himself 9*l.* 8*s.* 1*d.* in full payment of the said 100 marcs. There is no witness. Under the fold, on the sinister side, is the signature of Sir William Oldhalle, of which a fac-simile is here given. Upon a label is a circular seal, about half an inch in diameter, of red wax, evidently from a seal-ring, the device of which is a *Flote*, such as is to be seen in the arms of the Bowyers' Company and the Fletchers' Company, being a tool for smoothing the surface of wood-work, especially of bows and arrows; above and below this is a scroll, and on each scroll this legend, mien l'y atain, in black letter, which may be rendered *mine touches* (*or strikes*) *it there;* as if he had overcome some difficulty, or attained some object. (See woodcut in the margin.) At the end of the signature "W. Oldhall" is what is most likely an abbreviated word. I was disposed to read it *Knt.* for knight; but it looks more like *Snr.* for senior; which, however, the state of the family does not appear to warrant, there being then no other William Oldhalle in it, unless there were an unknown nephew or cousin of that name, or a son who died in his father's lifetime.



SIGNATURE OF SIR W. OLDHALLE.

SIGNET OF SIR W. OLDHALLE.

The fourth Deed is dated on the 3rd of September, 36 Henry VI. (1457); it is in Latin, and thereby Sir William Oldhalle conveyed to Thomas Saunder, Luke Broune, Brewers (*Pandoxatoribus*), Richard Holbeche, "Iremonger," and Wiliam Hunte, "Joynour," citizens of London, a tenement with a garden adjoining in "Mugwel-strete," viz., between the king's highway of "Mugwel-strete" and a tenement of the Prior of the Hospital of the B. Mary without Bishopsgate, and a void piece of land belonging to the community of the art or mystery of Goldsmiths, London,

on the east and north parts, and tenements late of the said Sir William Oldhalle, and then of Roger Chamberleyne, knight, on the south part, and a garden of the Abbot and Convent of "Gerondone" on the west part; which tenement and garden the said Sir William Oldhalle then lately had of the demise of Thomas Canynges, John Yonge, John Stodeley, and John Hole; and they had lately had them, with other lands and tenements, of the feoffment of the said Sir William Oldhalle. In witness whereof Sir William Oldhalle had affixed his seal, the said Thomas Canynges being then mayor of the city of London, John Stiwarde and Ralph Verney sheriffs, and Geoffrey Feldyng alderman of the ward. It was witnessed by the said Geoffry Feldyng, Geoffry Boleyne, John Middletone, Robert Caldecote, and Walter Brigger. On a label is the same seal as on the last preceding deed. There is no signature. The name "Plumer," which is engrossed at the sinister corner below, under the fold, was most probably that of the scrivener who prepared the document. On comparing the boundaries, it is evident these are not the same tenement and garden that are comprised in the preceding contract. It appears by the Rolls of Parliament, as we shall presently see, that Sir William Oldhalle had three tenements in Mugwell-street.

At this period deeds had lost much of their early simplicity. Troublous times had led to ingenious devices to avoid the consequences; and most estates became vested in feoffees for the use of the beneficial owners. One great object was to escape forfeitures for treason and felony; crimes which no man could then say he might not have imputed to him. The life of Sir William Oldhalle did not differ in this respect from those of most of his contemporaries. Having described the Deeds, I will give a brief sketch of his history; for he was of sufficient note in his generation to justify this, though the historians have not awarded him a place in their pages.

The family was settled in Norfolk a century and a half at least before the date of the earliest of these deeds; and the name still distinguishes two or three manors in that county, which once belonged to Sir William, or some of his ancestors. An Isabella de Oldhalle held half a (knight's) fee in Dersingham in 31 Edward I., and it does not appear to have been then a recent acquisition.[a] A Nicholas de Oldhalle held the manor of East Derham early in the reign of Edward III.[b] From him, it is supposed, was descended, either as son or grandson, a Sir William Oldhalle, who married Emme, a daughter and coheiress of Sir Richard de Bellhouse of West Bilney;[c] whose son, Sir Edmund Oldhalle, married Alice, one of the coheiresses of Geoffry de Fransham, and was the father

[a] Blomfield's Norfolk, iv. p. 515. [b] Ib. v. p. 1184. [c] Ib. iv. p. 482.

of Sir William, the party to the deeds above described.[a] Both these alliances augmented the possessions and importance of the family in the county. This Sir William was born, in all probability, near the close of the 14th century, hardly earlier than 1390; and should seem to have been either the eldest or only son of his father. There is some reason to believe he went out in the expedition under Henry V. on the invasion of Normandy in 1415; for he was there shortly after, as an esquire in the retinue of Thomas Beaufort, Earl of Dorset,[b] who was subsequently Duke of Exeter. He does not appear to have been at Agincourt; but as the earl, though generally said to have been there, was left, it should rather seem, in command at Harfleur, his young esquire may have been in attendance on him at the latter place. The father was at that time a Receiver of the Duchy of Lancaster;[c] which may account for the son being in the service of a Beaufort. In November, 1417, while he was in Normandy, his father died intestate, leaving him his heir. One William Shelton contrived to obtain authority from the Archbishop of Canterbury to administer his father's personal estate; and, by representing that the son had died abroad, he prevailed on the surviving feoffee of the father's manors of Narford and Bodeney, in Norfolk, to sell them, and hand over the money to himself; an act which certainly exhibited great simplicity, or something worse, on the part of the feoffee, who was the parish priest of Thornham. The son, after serving at the siege of Rouen in 1418,[d] returned with the king in 1421; and, on finding what had taken place in regard to his father's affairs, petitioned the King in Parliament for redress; and the administrator was required to appear, and be examined as to the facts.[e] The property should seem to have been restored, as Sir William Oldhalle several years after held some fees in Narford.[f]

We soon find him again in active service. Having gone back to France, he was, in 1424, at the important battle of Verneuil, on which occasion he was knighted;[g] he was also at the taking of Ivry, and was appointed constable of Mountseur (Q. Montsoer) after the surrender of it to the Earl of Salisbury.[h] In the same year, it appears, he was Seneschal of Normandy.[i] In 1426 he was

[a] Blomfield's Norfolk, v. pp. 1002, 1184.
[b] Rot. Parl. iv. p. 158 b.
[c] Blomfield, i. p. 409.
[d] Will. of Worcester's Itin. p. 374.
[e] Rot. Parl. iv. p. 158 b.
[f] Cal. Inq. p. Mort. iv. pp. 170, 172, 274.
[g] W. of Worcester's Itin. pp. 161, 282.
[h] Hall, 88, 92.
[i] This I learn from a MS. mentioned in a Catalogue of MSS. issued by Mr. Thomas Thorpe in 1844, p. 25, No. 128, where it is thus described: "Original Commission of Sir John Fastolf, Grand Master of the Household of John Duke of Bedford, Regent of France, &c. appointing R. Stafford and Rich. Conyngstone to take the muster of the Troops under Sir W. Oldhalle, Seneschal of Normandy. A curious document, on vellum, 3*l.* 3*s*. Alençon, 8th Nov. 1424." I am not able to state what has become of this MS.

Governor (*Capitaneus*) of the Castle of St. Laurence de Moitiers, in Anjou; and his name is found enrolled among the distinguished chivalry of the Regent John Duke of Bedford as knight and banneret, and governor of Argenten and Esse (Argentan and Essey), as well as of the last-mentioned castle.[a] About this time he returned again to England, and seems to have risen rapidly under the patronage of Humphry Duke of Gloucester, at that time Protector of the realm, and governing in the name of the infant King, his nephew; for in July, 1426, shortly before the death of his former patron, Thomas Duke of Exeter, he was sent on an embassy to the Duke of Burgundy.[b] The nature of the business is not mentioned; but, seeing that Jaqueline Countess of Hainault, the wife of the Duke of Gloucester, had just then fallen into the hands of her adversary the Duke of Burgundy, and that the quarrel between these two Dukes about the lady was then rife, it is highly probable that either her affairs or herself formed the subject of the embassy, though it is described as one that much concerned the public good of the King and his realms. In 1434 and 1439 Sir William Oldhalle appears to have been a privy councillor;[c] and probably he had continued to be so during the whole intervening period. Shortly after, in 1441, he was one of several trustees in a grant of divers manors for the benefit of Richard Duke of York and his Duchess Cecilia;[d] the first intimation we have of any connection between him and the house of York. This, however, was before the Duke of York had taken any active part in opposition to the court, being then engaged in France, where he had succeeded the Duke of Bedford as Regent.

Sometime previously Sir William had married Margaret, one of the daughters of William Lord Willoughby of Eresby;[e] and about this time, or a little earlier, we may probably place his purchase of the manor of Hunsdon in Herts, and the neighbouring manor of Eastwick,[f] as well as the house in Mugwell-street, described in the two earlier of the above-mentioned deeds. Hunsdon appears to have become a favourite place of residence. About 1447 he began to erect a castellated mansion there on so large a scale that it is said to have been never completed. However, it was carried so far towards completion as to afford a large amount of accommodation, according to the habits of society in his time. We are indebted to that early antiquary, William of Worcester,[g]

[a] Hall, 102, and No. 41 of MSS. in the Library of this Society, p. 7.
[b] Proceedings of Privy Council, iii. pp. 201, 244.
[c] Ib. iv. p. 212; v. p. 108.
[d] Ib. v. pp. 136, 137.
[e] Collectanea Topog. vii. p. 155.
[f] Clutterbuck, iii. 164, 179.
[g] W. of Worcester's Itin. p. 89.

who was in the service of Sir William's acquaintance and fellow-soldier Sir John Fastolf, for some curious particulars of the building. He calls it "Turris manerii de Howndesdon per iiij. miliaria de Waar villa, cum aliis edificationibus ac cum stabulis de bryke factis." The tower is stated to have been 80 feet square, with seven very wide buttresses on each side, the height more than 100 feet, and the principal hall in it 80 by 24 feet. The range of buildings and stables was 80 of his steps long. From this it should seem to have been a structure of unusual type, consisting of a very large square tower, most likely of brick, with an extended line of buildings attached; something, perhaps, after the manner of Faulkbourne Hall, Essex, built by another of Sir William's fellow-soldiers, Sir John Montgomery, but on a much grander scale than that in every respect. The tower may have more resembled Tattershall Castle, which is of the same period. A long range of subordinate buildings may, after defence had ceased to be a principal object, have been less unfrequent than we are accustomed to suppose; but, having been generally of wood, they have disappeared. The novelty of these seems to have been due as much to their being of brick as to their length.[a] They probably formed one side of a large court-yard, or of a space divided into several such yards, the other buildings having been of timber. In the measurement of the hall there is an evident mistake, as the thickness of the walls appears to have been overlooked: perhaps for lxxx. feet we should read lxx. The building cost, William of Worcester states, 7000 marcs 8 shillings and $2\frac{1}{2}d.$ which is, certainly, being very minute; but then he mentions having had his information from Humphry Paris, an officer of Sir William's wardrobe. Reckoned in pounds this is 4666*l.* 18*s.* $9\frac{3}{4}d.$, which, taken at its relative value in the expenditure of the age, was a large sum, and probably equal to nearly 40,000*l.* at the present day.

Hunsdon church, close to which the house was built, is for the most part in the earlier perpendicular style; and there is reason to think that most of the churches in that style were erected before the wars of the Roses. It was once rich in painted glass, fragmentary portions of which still remain in some of the windows. From them it appears that Sir William was a benefactor. In all probability the chancel windows at least were contributed by him, if no others. In

[a] So long a range of subordinate buildings of brick may have been thought remarkable, though W. of Worcester was no stranger to a large building of that material; for he had seen Caistor Castle erected by his master, Sir John Fastolf, of brick, coped with stone; which is said to have been about 300 feet square. (Paston Letters, iii. p. 352.) Brick was then coming into favour as a building material. Beside Tattershall and Faulkbourne, Hurstmoneeaux Castle was of brick, and others might be mentioned.

the tracery lights of the east window are remains of saints and subjects; and in the upper parts of the principal lights, beside some quarries, are portions of borders, consisting wholly of several of those tools or implements called Flotes, such as that on the seals of Sir William attached to two of the deeds above described, the once intervening pieces of coloured glass having been removed. In the more easterly of the south windows was, until it was recently to a great extent reglazed as a memorial window, part of a border also of these Flotes *in situ* (see a woodcut of one in the margin); while in the head there remains part of the original glass, which has been replaced, comprising a yellow fetterlock between two white roses, each in a separate compartment. In the other south window, which has also been to a great extent reglazed for a similar purpose, there is left a white single rose, probably once a double one. In the tracery lights of the north window are, of the original glass, a white double rose and a yellow fetterlock, and also the word Margareta reversed, in black letter, evidently out of place; which, it will be remembered, was the name of Sir William's wife. In a small building, with a crypt beneath it, on the north side of the chancel, now used as a vestry, perhaps once a sacristy, are windows with some of the original quarries, and on one of them a double rose with the outer petals stained yellow. The windows of the nave would seem to have been filled with saints under canopies, now all missing; in the head of one is a white rose. The original glass throughout, though by different hands, is apparently of the same date, and as well from the nature of the material, as from the style and character of the painting, may be referred to about 1440 or 1450. A part of it, including some of the Flotes from the south windows of the chancel, having been submitted to Mr. Winston, unquestionably a most competent judge in such matters, he ascribed it to that period before anything was known of the person to whom it might be attributed. The white rose and the fetterlock were, as is well known, badges of the house of York, to whose fortunes, we shall presently see, Sir William had attached himself about 1448. A man of his disposition was not

FLOTE
FROM A WINDOW IN HUNSDON CHURCH.

likely, at that time (when the church, we may suppose, was being glazed, and he was in full prosperity), to have given only two or three windows to his parish church, which stood so near to his own house. No trace of the motto, mien l'y atain, has been discovered in any of the windows. It was less likely to appear there than the Flote, though in all probability it was assumed at the same time as that device, to which it seems to refer. If it be understood as importing that he had overcome or had smoothed down (*i. e.* removed) some obstacles in the way of his advancement, his success in life had been such as to make it not inapplicable; or it might have been allusive to some act of skilful diplomacy in his mission to Burgundy. Such devices were then in vogue in that country; and the idea may have been suggested by the Plane which, a few years before, John Duke of Burgundy had assumed with the motto, Mie houd (I hold it), signifying that he would smooth the Knotted Staff of his rival, Louis Duke of Orleans, who had adopted that device with the motto Je l'envie.[a]

To proceed with Sir William's history. He was knight of the shire for Herts in the Parliament that first met on the 6th of November, 1450,[b] and on the 9th of the same month he was chosen Speaker;[c] which, as well as his embassy to Burgundy, implies that he was a man of considerable address. Being, as we have seen, a Norfolk man, it might be expected such an event would not be unnoticed in the Paston Correspondence. Accordingly, I find it announced to John Paston, Esq., by Damme and Gresham, in a letter commencing,—Please it you to wit that Sir W. Oldhalle is chosen Speaker of the Parliament, and admitted by the King.[d] This was written on the 11th of November. Among other things in the same letter, we learn that it was said, the Duke of York should not come to Westminster this sevennight, and, as men supposed, no sheriffs would be chosen till he came. A noticeable fact, because the historians in general have represented him to have continued in Ireland till the ensuing summer. To render Sir William's further career more intelligible, I must briefly mention the state of affairs when this Parliament met. In 1447 the Duke of Gloucester, who, we have seen reason to think, was his patron after his return from France, had died suddenly at Bury St. Edmund's, and was believed to have been taken off at the instigation of the Queen and the Duke of Suffolk, who governed in the name of the King; and the Duke of York, who had been previously recalled from France, had become the head of the opposition or popular party in the place of the Duke of Gloucester;

[a] Monstrelet, ch. 35. Barante, ii. pp. 389, 407.

[b] Clutterbuck, i p. xxvii.

[c] Rot. Parl. v. p. 210 b.

[d] Vol. iii. p. 100.

which may account for Sir William passing over so readily to the Yorkists, the Duke not having then openly aspired to the throne. In 1449 the Duke was sent as governor to Ireland, avowedly to quell an insurrection, but in fact to be out of the way. He soon restored peace to that country, and had leisure to contemplate the occurrences in England. Meanwhile the Queen and Suffolk became more and, more unpopular; and in the last Parliament Suffolk had been impeached, but submitting himself to the King, he was, without trial, yet in reality with a view of protecting him, banished for five years. He was, however, waylaid at sea, and murdered off Dover on the 2nd of May, 1450. Close on this event followed the insurrection under Jack Cade, a Yorkist movement to ascertain the feeling of the country as to the dormant right of the Duke of York, as heir of Mortimer, to the crown. This had been suppressed in July. Instead of remaining in Ireland, as is generally supposed, from 1449 till about June 1451, there is very great reason to believe that he returned to England for a while a few weeks after that insurrection was suppressed, not only to take advantage of the death of Suffolk, but also to protect his friends who had been compromised by joining or assisting Cade. Beside the passage in the above-mentioned letter, showing he was expected at Westminster in November, 1450, the letter immediately preceding it, written evidently only a few days earlier, shows he was about to go into Norfolk; and he seems from another letter to have been named a little later in the commission to try some of the Kentish rebels;[a] and even in the September previous, when the speaker in the last Parliament, William Tresham, was murdered near Sywell, in Northamptonshire, he was entrapped by being requested to go to meet the Duke of York,[b] who should seem to have been at no great distance; which would hardly have been practicable or attempted had he not been known to be in England. This agrees with certain statements in William of Worcester's Annales,[c] to the effect that the Duke returned from Ireland at the beginning of September (1450), and was near Northampton when Tresham was murdered; the authority which has been followed by Dr. Lingard. Whether the object of that crime was to facilitate the election of Sir William to the speakership is left to conjecture. The court party, weakened by the death of Suffolk, had recalled Edmund Beaufort, Duke of Somerset, from France, who arrived in November, 1450, about the time the Parliament assembled in which Sir William was speaker. According to the Rolls[d] nothing worthy of present notice occurred except a petition by the

[a] Paston Letters, iii. p. 136.
[b] Rot. Parl. v. pp. 211 b. 212 a.
[c] Liber Niger Scacc. p. 473.
[d] Rot. Parl. v. pp. 211, 216.

widow of Tresham, detailing the particulars of the assassination of her husband, and asking for justice on the murderers; and a petition for the removal from court of divers persons of Suffolk's party; which was partially granted. This Parliament was continued by prorogations till May, 1451; shortly after which the Duke of York finally relinquished the government of Ireland. From the historians we learn, moreover, that Somerset on his return from France was accused of having neglected his duty there, and on the Commons petitioning for his committal to prison, the King complied, but released him as soon as the session terminated; and Somerset presently filled the place which Suffolk had occupied. His influence prevailing, notwithstanding the return of the Duke of York, Sir William Oldhalle was indicted for treason, being charged with having been implicated in Cade's insurrection; and on being found guilty, he made his escape, and was outlawed. Thus his estates were forfeited to the crown. The exact date of this conviction does not appear, but most likely it took place towards the end of 1452 or the beginning of 1453. On the meeting of Parliament in the latter year, in order to make sure of the forfeiture, his attainder was, on the petition of the Commons, confirmed without prejudice to the grants made by the crown of his estates, several of which are mentioned in the petition, and among them Hunsdon, which had been given to Somerset,[a] and the three tenements in Mugwell-street, which seem to have been granted to Sir Thomas Tyrrell, knight, and others, most likely as trustees for some one else.[b] The King having become ill in November, 1453, and soon after incapacitated for business, early the next year the Duke of York regained the ascendancy, procured the imprisonment of Somerset, and was appointed Protector. About Christmas,[c] the King recovered, and resuming his authority in February, 1455, released Somerset; whereupon the Duke withdrew, and shortly afterwards took up arms. Sir William remained in difficulties and disgrace notwithstanding the restoration of his party for awhile to power, and he was probably for a considerable time in sanctuary at Westminster. For, after the battle of St. Alban's, May 22, 1455, in which the Yorkists were completely victorious, Somerset having been slain and the King made prisoner, we read in a Paston letter, written evidently in London or Westminster early in June following, that—Sir William Oldhalle abideth no longer in sanctuary than the chief judge come; for that time he shall go at large, and sue all his matters himself.[d] From the same letter we learn that the Duke and the Earl of Warwick would

[a] Rot. Pat. 31 Hen. VI. pt. 2, m. 13.

[b] Rot. Parl. v. pp. 265, 266.

[c] Paston Letters, i. p. 80.

[d] Ib. i. p. 106.

wait the assembling of Parliament, the former at Ware, and the latter at Hunsdon, we may presume in Sir William's house at the cost of Somerset's representatives: the Earl of Salisbury, another Yorkist leader at St. Alban's, was about to take up his quarters at Rye, no doubt the Rye House. On the arrival of the chief justice, Sir William soon obtained the reversal of the outlawry, and was acquitted of the alleged treason. This is mentioned in one of the Paston letters, dated at Caistor the 7th of July, and written by William of Worcester.[a] Parliament met on the 9th of July, and on the same day Sir William petitioned for the repeal of the Act of attainder against him. His petition, embodied in an exemplification of later date, is printed in the Rolls of Parliament.[b] It states that he all the days of his life had been a true faithful liegeman to the King, and his father and grandfather, and had dispended his young days in the service of them and of other princes of their blood, as well in France as in Normandy and Guienne[c] and other places; that he intending in his old age to serve God, and to live upon such poor livelihood and goods as he had of his inheritance and by his long continued labour, certain undisposed persons, imagining utterly to destroy him, and by subtle untrue means to have of the grant of the king his lands and goods, caused him to be declared traitor by an Act passed in the last Parliament, by which it was supposed he had given false untrue counsel to the great traitors, John Cade and John Wilkins, and to one John Halton, whereof he was never guilty, "ne the said persons never knew, ne with them had communication:" he then proceeds to mention the indictment for treason and his outlawry, and that the outlawry had been reversed at his suit, and he of the same treason acquit by the oaths of twelve notable sufficient persons before the King in his bench. The prayer of his petition was, in effect, that the Act of attainder might be repealed, and he restored to his lands and goods; which was granted.

There is a remarkable letter in the Paston collection, dated St. Faith's (Oct. 6th),[d] which mentions Sir William Oldhalle when in the height of his prosperity and influence. It must have been written while the Duke of York was in England, and at the time or on the eve of a general election, and in all probability before the Duke had openly claimed the crown. The editor was unable to assign to it a more precise date than between 1451 and 1456. He probably assumed it was not written in 1450, because the Duke was supposed to have been then in Ireland. In 1451, which might otherwise seem the most likely year, there was no parliament

[a] Paston Letters, iii. p. 128.

[b] Rot. Parl. v. p. 451.

[c] His service in Guienne I have not found elsewhere mentioned.

[d] Paston Letters, iii. p. 154.

summoned in the autumn. It could hardly have been later, as Sir William's history shows. Therefore I am induced to think it must have been written on the 6th October, 1450, about which time we have seen reason to think the Duke was in England; and the summonses for the Parliament in which Sir William was speaker were dated the 5th September, 1450. It was written by William Wayte, evidently from London, and was addressed to John Paston in right great haste. The writer was in the service of some Yorkist, but of whom does not clearly appear.[a] It is too long to give *in extenso*. He mentions—he had been "in my lord of York's house," and heard much thing more than his master had written of: he had heard much thing in Fleet Street; but "my lord" (apparently meaning the Duke of York) had been with the King, and he "visaged" so the matter, that all the King's household were afraid right sore, and his said lord had put a bill to the King, and desired much thing which was much after the commons' desire, and all was upon justice, and to put all those that were indicted under arrest without surety or mainprize, and to be tried by law as law will: insomuch that on Monday Sir William Oldhalle was with the King at Westminster more than two hours, and had of the King good cheer; and the King desired of Sir William Oldhalle that he should speak to his cousin York, that he would be good lord to John Penycock (who was one of the esquires of the King's body[b]), and that he should write unto his tenants, that they should suffer Penycock's officers to go and gather up his rent-farms within the Duke's lordships; and that Sir William answered again to the King, and prayed him to hold "my lord" excused; for though he wrote under his seal of his arms, his tenants would not obey it, insomuch that when Sir Thomas Hoe met with the Duke beyond St. Alban's the western men fell upon him, and would have slain him but for Sir William Oldhalle being by; and therefore would they have fallen upon Sir William, and have killed him; and so he told the King.—The writer proceeds to state, that Sir "Borle" Yonge and Josse laboured sore for Heydon and Todenham to Sir William Oldhalle, and proffered more than 2,000*l.* for to have his good lordship. Heydon was recorder of Norwich, and had, with Sir Thomas Todenham (who had formerly been with Sir William in the household of the Duke of Exeter[c]), and some other Lancastrians named Windham and Prentice, been guilty of some excesses in Norfolk, in the nature of extortion; and their trial seems to

[a] Perhaps of Sir John Fastolf (see Paston Letters, iii. letter 31), who, though not an avowed partisan of the Duke of York, was suspected by the Queen's party (ibid. letter 29), and was most probably, like John Paston, a well-wisher to his cause at this time.

[b] Rot. Parl. v. p. 237 b.

[c] W. of Worcester's Itin. 370.

have been about to take place in May, 1451,[a] and the letter goes on to recommend a great outcry to be made against them by the populace when the Duke of York went to Norwich, lest they should come to grace. There is then an offer to get John Paston favourably introduced to the Duke. After which the writer urges John Paston to stand for the county, and suggests persons by name as candidates for Norwich and Yarmouth, and returns to the subject of the outcry against the extortioners. A bribe of 2,000*l.* was a very large one at that time, and seems hardly credible, unless the accused had reason to expect to be very severely dealt with. Sir William Oldhalle appears, from this letter, to have been in attendance on the Duke when the affray beyond St. Alban's occurred. We learn, too, of his being with him in Wales (probably in September, 1450), from the correspondence which took place when the King and the Duke, with their armies, were near Dartford in 1452; for the latter, complaining of an attempt meditated against his person near Conway, mentions that the head of Sir William Oldhalle was to have been struck off on that occasion.[b]

We do not find Sir William in any public situation after the reversal of his attainder. He should seem to have got into debt during his outlawry; for we have seen that he sold one of the Mugwell-street houses in 1457, and the greater part of the purchase-money went to pay some brewers and a wax-chandler. He had become a widower, but the time of his wife's death does not appear. The last notice of her as living that I have met with, is her having, in 1447, joined in conveying some lands at Baconsthorpe, in Norfolk.[c] She was buried at the Grey Friars, London.[d] If we may trust the date assigned to a letter about to be mentioned, his case was not so desperate during his adversity, but that a match was in contemplation with a daughter of Sir William Paston; for in one of the Paston letters, the date of which is ascribed to March 1453 or 4, and which was written by the lady's mother to her son John,[e] it is stated that she had heard he had—been laboured to for Sir William Oldhalle to have his sister.—The lady was not unwilling, yet the marriage did not take effect; owing perhaps to his age and the state of his affairs. She afterwards (probably in 1458) married Sir Robert Poyning, who had also been in trouble about Cade's insurrection; and not without reason, as he had

[a] Paston Letters, iii. letter 27.

[b] Holinshed, ii. p. 638.

[c] Blomfield, iii. p. 714.

[d] Collectanea Topog. v. p. 282.

[e] Vol. iii. letter 45. I question the date assigned by the editor to this letter; for in it the lady's mother suggests inquiries whether Sir William's lands were clear: whereas at that time he was attainted, and his lands forfeited. It is more likely to have been written in March, 1456, when the attainder had been reversed.

openly joined him, and acted as his sword-bearer and carver.[a] After Sir William's restoration to Hunsdon, we find "my Lord of Canterbury" and Lord Bouchier (who was his brother) were to go for a week to Hunsdon, and hunt and sport them with Sir William Oldhalle;[b] sufficient proof that his house was not in a very incomplete state, as their attendants must have been numerous.

His troubles were not yet over; for, continuing a zealous partisan of the Duke of York, he was again attainted, together with the Duke and many others, by the Parliament which met at Coventry in November, 1459. He does not appear to have been in arms against the King, but was charged with traitorously compassing his death, in conjunction with the Countess of Salisbury and John Vaghan.[c] On this occasion his estates seem to have been granted to Humphry Duke of Buckingham.[d] I find no special repeal of that Act of attainder; but on the accession of Edward IV. in 1461, the Acts of Kings Henry IV., V. and VI., with some necessary exceptions, were treated as void.

Little more is said of Sir William. It is not clear that he survived till the Yorkists' triumph in 1461. The last notice I have met with of him is in a Paston letter of 12th October, 1460, written from London by a servant of John Paston,[e] in which he speaks of Colbine, apparently late a fellow-servant, but then out of employ, awaiting—upon Master Oldhalle the most part at Redre, at his place,—where it should seem Sir William was then living in retirement. By "Redre" was probably meant Redriff, *i. e.* Rotherhithe. The battle of Northampton took place in the preceding July, and dispersed the Lancastrians, leaving the King again a prisoner. The Duke of York, who had just landed from Ireland, where he had taken refuge after his attainder, now formally claimed the crown. Sir William may have survived him, and witnessed the accession of his son as Edward IV.; but if so, he was dead before 6th Edward IV.; for Walter Gorge, who married his only child and heiress Mary, survived him and died in September in that year, seized of his Norfolk estates, as appears by two inquisitions in the following October, and by a petition presented to Parliament by Edmund Gorges (as he was called) their son and heir, in the 5th Henry VII.[f] From that petition it appears, that on Sir William's first attainder his Norfolk estates were granted to Jasper Tudor, Earl of Pembroke.

Chauncy, and Clutterbuck following him, represent Sir William as leaving a son and heir, Sir John Oldhalle, who succeeded him, built the house at Hunsdon,

[a] Paston Letters, i. p. 58.
[b] Ib. i. p. 172.
[c] Rot. Parl. v. 349.
[d] Rot. Pat. 38 Hen. VI. pt. 2, m. 24.
[e] Vol. i. p. 200.
[f] Rot. Parl. vi. p. 435.

and fell fighting for Richard III. at Bosworth field, and was attainted the next Parliament. The inquisitions and petition just mentioned dispose of the question of his having left a son and heir; and I cannot discover that any one named Oldhalle was present at Bosworth field, nor whence this story was derived. No such name appears on the Rolls of Parliament among those who were attainted in the 1st Henry VII., or indeed afterwards.

The house at Hunsdon did not go to the heirs of Sir William Oldhalle, but remained in the crown, or was given up to the crown after his last attainder. It was granted by Henry VII. to his mother, Margaret Beaufort, and her husband, Thomas Earl of Derby, for their lives; and is said to have been converted by Henry VIII. into a palace, at great cost, for the occasional residence of himself and of his children. The Lady Mary appears to have frequently resided there in the reign of her brother. Elizabeth granted it soon after her accession to her cousin, Sir Henry Cary, whom she created Lord Hunsdon. It must have undergone great alterations, and the large tower been taken down long ago; for the print given by Chauncy of Hunsdon House, as it then was, bears no resemblance to what it was in Sir William Oldhalle's time. If any portion of it remain, it is very inconsiderable, and forms part of the present mansion called Hunsdon House, built about 1804, and now the property of Edmond Calvert, Esq., whose ancestor, Josias Nicolson, Esq., purchased the estate in 1743. The buildings taken down soon after that date, and supposed by Clutterbuck to have been part of the original house, were most likely of more recent erection, possibly part of the additions made by Henry VIII.

In conclusion, lest it should seem strange that I have not referred to Manning's Lives of the Speakers, published in 1851, I will mention that I did not see the work until I had nearly completed this memoir, and then I found the notice of Sir William Oldhalle so very deficient and inaccurate, that it did not afford me any assistance.

I remain, dear Sir,

Yours, faithfully,

WESTON STYLEMAN WALFORD.

To Joseph Jackson Howard, Esq., F.S.A.

XXI. *Particulars respecting Thomas Sackville, Lord Buckhurst, with a fragment of the "Itinerarium ad Windsor." written by Mr. Serjeant Fleetwood, Recorder of London. Communicated by* JOHN BRUCE, *Esq. F.S.A.*

Read March 26, 1857.

THE communication which I desire to make to the Society on the present occasion will be found to be in some respects peculiarly unsatisfactory. It is a tale of an interesting manuscript, imperfect; of inquiries respecting it, unavailing; of researches, baffled on every hand; and now of an ultimate appeal to this Society, in the hope that some Member may supply the deficiencies which I have not been able to remove.

The manuscript to which I have alluded is Harleian MS. No. 168, Art. 1. It is a transcript, by Ralph Starkey, of a paper entitled "Itinerarium ad Windsor.," written by William Fleetwood, Esq. Recorder of London. Many years ago I was attracted by its title in the Catalogue, and, being about to publish a little volume, the original manuscript of which had passed through the hands of Fleetwood, I was desirous to give an account of what appears to be one of his works, which has hitherto remained unnoticed. I sought at that time, by inquiries in the libraries of Oxford and Cambridge, and in a variety of other quarters, to discover a perfect manuscript of this "Itinerarium," but all my endeavours were unsuccessful. I have kept the subject before me on subsequent opportunities, and have tried all the usual channels of inquiry, but entirely in vain.

The manuscript deserves the pains which I have taken, for, although of no antiquity, it presents a picture in which the life which belongs to reality is united, as I am fain to believe, to some little of that interest which ought to distinguish a romance. It represents a transaction which took place in the month of July 1575. A cavalcade of noble gentlemen quitted the well-known Essex House, one of those inclosed mansions which then studded the bank of the Thames from Temple-Bar to Westminster; and, riding along the Strand, passed the very spot where we are now assembled, pursued the way by the park side, since termed Pall Mall, and close by the walls of what was then considered the "most princely and stately palace" of St. James's. Taking this course, they proceeded by "the park corner," and so onwards, on the road to Windsor.

The journey which was thus commenced was connected with business relating to Windsor Forest, and probably also with those extensive alterations at Windsor Castle, which were then in full progress. The chief person of the party was the Earl of Leicester, who travelled according to his own pompous notions, and according also to the custom of the time, accompanied by a princely cavalcade of attendants: John Dudley and William Dudley, two of his own family, were present on the occasion, together with "divers knights and noble gentlemen, as well courtiers as of the country." Among his companions or attendants, the present narrative brings conspicuously before us two well-known persons, Thomas Lord Buckhurst and William Fleetwood.

Two men more essentially different can scarcely be imagined. Buckhurst—the facts of whose life have been admirably strung together by my friend Mr. Durrant Cooper, in his edition of "Gorbodue"—was a person of distinction almost from his youth. As Thomas Sackville, ere well out of his teens, he became celebrated, not as a lawyer, although the law was his profession, but as a companion of poets, and as himself a poet of unquestionable genius. Quaint in form, and laboured in expression, there is little in his poetry to attract a modern reader; but Mr. Hallam awards to Sackville the high praise of "fertility of imagination, vividness of description, and strength of language."

Sackville's personal tastes inclined him in everything to delight in the rich and the splendid. Brought before the world by his success in letters, he took the lead in many of the amusements of his time, and became as conspicuous for personal extravagance as for literary ability. As the heir of his father, whose characteristic nickname was "Fill-sack," he might look forward to a considerable patrimony; but Sackville lived as if the inheritor of a kingdom rather than of an estate. In a few years all property over which he had any control was sold or deeply mortgaged, and he himself was bound hand and foot in the power of usurers and bailiffs. Of a sudden, he became the subject of a remarkable change. The whole course of his life was altered, as it were, at once. The spendthrift was converted to prudence; the man of pleasure became a man of business. Sackville's contemporaries account for this change in various ways. The kindly remonstrances of the Queen, and the purse-proud insolence of a creditor who kept him waiting in his hall, are both set down as having contributed to bring it about. The misery of a wife, to whom he was affectionately attached, and the degradation of a numerous family, may have had their influence. Whatever the cause, the fact is unquestionable. He quitted England for a time; and, on his return, after the death of his father, devoted himself to the public service, and the

redemption of his estate. He was gifted with eloquence,[a] and his general talents easily adapted themselves to the business of the state. The Queen gave him encouragement. He was employed on embassies; was rewarded with a peerage; and lived to succeed Lord Burghley as Lord High Treasurer, to hold the office of Chancellor of Oxford,[b] to obtain the Garter from Queen Elizabeth, and an earldom from King James I. Amidst all his changes, two circumstances are recorded of him which seem links between his earlier and his later life. It was long before he freed himself from a condition of comparative poverty. Even after he had been ennobled as Lord Buckhurst, there is evidence that he lived in a style of extreme simplicity. But still he retained his old love of magnificence; and his will contains very precise and peculiar directions for the disposal of his own private rings and personal jewels. Again, we are told that such was the unusual sensitiveness of his taste in composition, that in all his public business he could get no secretary to please him, he was "so facete and choice in his phrase and style." (Naunton's Frag. Reg. p. 279, ed. 1808.)

The other person who accompanied Lord Leicester was William Fleetwood. His letters, published by Sir Henry Ellis, have made him generally known. There are others of the same kind in the State Paper Office, which have been brought to light by Mr. Lemon's recently-published Calendar. Fleetwood is praised by his contemporaries as a sound lawyer, and a man of indefatigable diligence. He is also entitled to be held in honour as having been a collector and preserver of historical manuscripts. It is evident that he was a precise, prudent, cautious, methodical person, and, in the character of his intellect, the most absolute opposite of Lord Buckhurst. Under the patronage of Lord Leicester, Fleet-

[a] Mr. Durrant Cooper informs me that the only note of any speech of Sackville's that he has found is one reported in a very unfriendly spirit in the proceedings against Lord Vaux and others for harbouring Campion, published in Archæologia, vol. XXX. p. 106.

[b] A contemporary epigram on his election to the chancellorship of Oxford, for a reference to which I am indebted to Mr. Durrant Cooper, contains some little evidence of the estimation in which Buckhurst was held in 1591. It is derived from MS. Addit. 3728, fol. 65, a volume of poems in honour of Buckhurst, compiled and addressed to him by William Thorn, Fellow of New College.

Occidit Hattonus, retrahit sua lumina Phœbus,
Nec visa in nostris lux fuit ulla scholis.
Sacvillus venit, en reddit sua lumina Phœbus,
Jamque coma solito splendidiore nitet.
Obscuras veteres obscurabisque priores,
Nemo fuit similis, nemo secundus erit.
Sis bonus ô felixque tuis: interque clientes
(Alme) tuos aliquem me precor esse velis.

wood procured the Recordership of London, and was called to the degree of Serjeant. These are evidences of professional eminence; and his letters to Lord Burghley contain many proofs of his zeal and activity as a magistrate. But all his more studied writings which have come under my notice are peculiarly dull, formal, and pedantic. In the composition which I am now about to read to you, he seems to have striven to be a little more lively; and it contains some things which, totally undesigned by him, have a value at the present time which they had not when he wrote; but, even in these pages, the Society will have an opportunity of judging whether he did not possess the qualities which I have attributed to him.

I have alluded to some things in Fleetwood's "Itinerarium" as having a value now which Fleetwood himself never contemplated. Amongst them is one circumstance which gives the paper a special applicability to this Society: Buckhurst and Fleetwood, it will be seen, were both antiquaries. Attachment to archæological inquiries constituted a strong link between them. It united their opposite characters and qualities—the poetry of the one and the prose of the other. Fleetwood has always been reckoned amongst the members of the Elizabethan Society of Antiquaries; but I am not aware that that has been the case with Buckhurst. The present paper, unimportant as it is, will, I hope, be allowed to pass, if it be found to add such a valuable name to our pedigree of antiquarian forefathers.

Fleetwood's paper runs as follows:—

ITINERARIUM AD WINDSOR;

Written by William Fleetwood, Esq. Recorder of the Cittye of London.

[Harl. MS. 168, fol. 1.]

IN the moneth of Nisann, in the seavententh yeare of the most happie raigne of the virtuous and most noble Ladie Queene Elizabeth, the right honnorable Robert Earle of Leicester, beinge constable of Windsore Castle and chiefe forester of the forest thereunto appendant, (beeinge with divers noble knights and other gentlemen, as well courtiers as of the countrye, accompanyed,) did take his journeye from his lordship's howse scituated neere the barres of the Newe Temple in London, towardes Windsore Castle; amongst which assemblye the right honnorable baron Thomas Lord Buckhurste was present, and I, William Fleetwoode, reporter hereof, beinge recorder of London, was, by the comaundement of the said Earle of Leicester, there alsoe attendante, for the better servyce of the queene in matters that weare to be debated within the honnour and forest of Windsore aforesaid. And as the said earle in his journey was uppon the newe cawsey over agaynst her majesties howse called Sainte James Parke, hee espyed, even fast by the verye walls of the same howse, two rydeinge alone, noe creature eyther rydeinge or goeinge before or after them; and

beinge desyrous to knowe whoe they weare, no man knewe, untill Mr. John Dudley and his brother told the said earle that it was the Lord Buckhurste and the recorder of London. "Naye," quoth the earle, "it cannott bee they, for heere bee their men." "Yeas," quoth Mr. John Dudley, "my lord, it is their condition to separate themselves from all companye when they ride into the countrye, and then their manner is to use argumentes of eare and very straunge thinges, sometymes of parleamente matters, sometymes of chronicles and historyes, but cheifelye of the antiquityes of this realme of England, for they be both marveylouslye given to be antiquaryes." "Then," quoth the earle, "what meane you by that name antiquaryes?" "Marrye," quoth Mr. John Dudley, "they canne tell your lordshipp of the antiquitye of Leister House; they can shewe your lordship howe that the territoryes betwene the Temple Barre and Ivye Bridge was in the Saxons tymes knowne and called by the name of Vavasorian, and that Iven was the Vavasor and lorde of the same; and they can tell you the Danes, being dryven out of this realme, and yett suche as were naturalized, partlye by birth, for that they weare children of Englishe women, but chieflye by the benefitt of the noble Kinge Ethelbert, was allowed them that place to inhabitt in, where they buylded a church in the honnour of Saint Clement, the patron of the Danes; and thereof it is called, even unto this daye, Sainte Clement's Danes. They can declare the first foundation and founders of Sainte Spicett's Chapple, and what marvells and straunge thinges there happened in that place. They are able to disclose howe the Savoye first had that name, and of the escheate of the same to the crowne, and of grantinge thereof to Crochback the Earle of Lancastre; and as for the antiquitye of Thorney, Rounsivalls, Charing Crosse, Saint James, the scite of which Sainte James was first made an hospitall, and annexed to a monasterye in Normandye, and soe beinge the landes of Prior Aleins, was given unto the crowne by parleamente in the second of Henery the fifte, and by Kinge Henerye the sixt given to Eaton Colledge, for the advaunceemente of learninge and bringinge up of youthe; and in the tyme of Kinge Henry the eight, Cromwell, then Earle of Essex, obtayned a long lease thereof, and there beganne to buylde, and by his attaynder it came to the handes of Henry the eight, in which place, as your lordship maye see, is buylded a most princlye and statelye pallace for the kinges of this realme." "Then," quoth the earle, "surelye these be straunge thinges that you speake of; but can they discourse in suche sorte of all other places within this realme?" Mr. John Dudley answered that he thought verelye they could. "Then," quoth the earle too Mr. Thomas Dudley, "I praye you when my Lord of Buckhurst and Mr. Recorder come againste the parcke corner, tell them that I would speake with them;" and after Mr. Thomas Dudley was ridden before, Mr. John Dudley said to my lord the earle, that it should be best for his lordship to move some questions of learninge toucheinge the state and pollecye of this realme; "and," quoth hee, "that will please them well, for they are muche like of disposicion to one Sir Richard Barkeley, a knight of Gloucestershire, whoe delighteth in noe man's companye but suche as be learned, or that can move wittie or subtill questions, whereuppon arguments of knowledge maye aryse and growe." "Then," quoth the earle, "I lyke them the better, and I shall, God willinge, followe your counsaile, and move sutche fruitefull questions unto them, as that they shall not be wearye of my company;—well, I see them at hand.

Temple Barre.
Ivie Bridge.
St. Clement's.
St. Spicett's Chapel.
Savoy.
St. James.
[Sir Richard Berkeley.]

"Nowe, my Lord of Buckhurste, I wonder what matter it is that your lordship and the recorder have all this waye bene debateinge soe earnestleye betwene yourselves?" Then quoth my Lorde

of Buckhurst: "My verye good lorde, my old frend Mr. Recorder and I doe evermore use to discourse of one matter of learninge or other when wee cane gett any leysure or tyme convenyent. Our talke was at this tyme of the excellencye of the regall dignetye of a kinge, and especiallye of the royall majestie of the Kinge of England; and yf it please your good lordship to move anye question disputeable, as touchinge that kynd of knowledge, or any other matter wherein wee have anye skyll, your lordship shall have our oppinyons to the full, with this caution, that non may be permitted to ryde within the ringe, excepte onlye Mr. John and Mr. Thomas Dudley, your lordship's gentlemen; for *naturaliter scire desiderat unusquisque* (sayth the philosopher), and it is often seene that simple wittes, for wante of judgmente, maye conceyve an errour of which maye ensue hurte, and greate peryll in tyme to come."

"Your lordship sayes wiselye," quoth the earle, "and your request shall be performed. My Lord Buckhurst, and you Mr. Recorder, lett me ryde betwene you, and then I will move a question, the which, though I make noe greate dowbte thereof, yet would I gladlye heare what you thincke thereof. I doe read that the most auntient states of this realme, beinge made by kinges then raigninge, doe not onlye attribute and refferr all prerogatyve, prehemynence, power, and jurisdicion royale unto the name of kinge, but alsoe doe give, assigne, and appoynte the correction and punishment of all offenders agaynst the regalltye and dignetye of the crowne and lawes of the realme unto the kinge, and not by the name of a queene. Heereuppon would I gladlye heare the reason, whie the queene, our mistress, should have and execute the like and the same prerogatyves, and other regall prehemineneye as have bine given onlye by parleamente unto her highnes most noble progenitours beeinge kinges, and by the speeyall name of kinges, and not unto them by the names of kinges or queenes; for I have learned all penall lawes made by parleamente are expounded and understood accordinge to the letter, and not inforced by interpretacion, eyther to the person, to the tyme, or to the place, but are benignely expounded accordinge to the moste favorable meaninge of the letter. I praye you therefore, my lord and Mr. Recorder, lett me heere your myndes in these matters."

"My very good Lord of Leicester, (said the Lord of Buckhurst,) your question is very honnorablye and wyselie moved; for wee doe both perceyve that your lordship doth not dowbte thereof, but that for knowledge sake you desier to heare the very reason thereof; and suerlye, as to the former matter that Mr. Recorder and I alonge by Saint James' walles ded begin to debate uppon, toucheinge the excellencye of the royall dignetye of the kinges of England, there cannot an apter question bee propounded for the furtheraunce of that argumente then this that your lordship hath moved. The lawes of this realme doe most abundantly flowe of these matters, and you (Mr. Recorder), what longe, and lardge, and howe manye learned arguments have you and I heard and read in our bookes, as touchinge the expoundinge of penall statutes. You remember, I ame suer, the olde sayeinge concerninge that matter in anno septimo Henrici sexti: *Quod lex beneficialis, casu consimili, remedium præstat, odiosa autem lex casu quo efficitur ulterius non extendit* (that is to saye), that beneficiall lawes are expounded by equitye, but penall lawes are taken (as my lord said) strictly.

"The full discourse of the first parte of your lordship's question, as toucheinge the regall prehemynence in the queene our mistress, and the second parte beinge moved raythor for an

example then for any matter concerninge the exposicion of penall statutes, would both betwene them make up a compleate volume;—but *ad propositum*. My lord, before wee enter into this greate and hawtye matter, it muste bee agreed on all sides that the kingdome of England, that is to saye, the doome and judgment of the Kinge of England over his people (comytted by God unto his chardge), yea, and *tota plenitudo totius regni Angliæ*, that is, the landes and goodes of all the fulnes and store of the whole realme, are subjecte to the onlye doome and sacred sentence of the Kinge of England, whose doome is conducted by meanes of the matter thereunto subjecte:

"1. Sometymes by the onlye censures of Godes most holye lawes, I meane the Old and the Newe Testaments, as in matters touchinge matremonye. Lawe of God.

"2. Sometymes by suche cannons ecclesiasticall as be allowed of within this realme by the custome of this land, as in matters of tythes and thinges testamentarye. Spirituall lawe.

"3. Sometymes by the civill lawes, as in maryne causes, or in contractes made out of the realme. Civill lawe.

"4. Sometymes by the martiall lawe, as before the Constable of England, in his court, as touchinge matters of armes, and offences comytted in the kinges campe or battayles. Martiall lawe.

"5. Sometymes by the forest lawes, as in matters that doe concerne vert and venizon, and suche lyke. Foreste lawes.

"6. Sometymes by the lawes of Oleron, the which lawes are verye often in our bookes termed by theise wordes, *secundum legem mercatoriam*, that is, lawe merchante, the which lawe concerneth assurances and suche like things. Lawes of Oleron, or lex mercatorum.

"7. Sometymes *per leges treugarum*, by the lawes of the wardourye agaynst Scotland, executed by the lord wardens of the three severall marches, for the correction of thee marche treason, outputters, lymners, fyled persons, inryders and outryders, and a thowsand suche like. Leges treugarum or lawes of wardourie agt Scotlande.

"8. Sometymes by the pryvate custumarye of lawes of cittyes and auntient burroughes. Customarie lawes.

"9. Sometymes by the Lorde Steward of England, in his court of the coronation of the kinge, where eache man's clayme for the servyce of graund sergeauntie, and the arraignment of peeres, bine onlye dealte withall. Lawe of the Lo. Stewarde of England at coronation.

"10. Sometymes by the highe courte of parleamente, in which courte causes maye as well be heard and judicyallie executed as maye be the makeinge of lawes and statutes for the realme. Parleamente.

"11. Sometimes, yea, and that most commonlye, by the auntient common lawes of this realme, all causes, as well personall, mixt, and crimynall, are by the same common lawes heard and judicyallie ended. Common lawe.

"12. And yett there is another lawe, the which is *seorsum ab omnibus aliis regni legibus*, whereby certayne especyall and singuler causes are absolutely deemed of, the which lawe is called *lex coronæ*, and that lawe is the perticuler lawe of the crowne. Mention is made of this lawe in the statute of the xxviij[th] of Henrye viij. ca. vij.; the wordes in effecte are these: 'By the lawe of the crowne of England, it hath bine accustomed that the crowne ought to succeed and goe to the eldest daughter, when the femalls are heritable, etc.' There was a booke wherein the especyall laws of the crowne weare wrytten, the which booke did remayne alwayes in the custodye of the Lord Cheife Justyce of England, for it is his offyce to answere all dowbtes and questions that concerne the lawe of the crowne. This book, as I have heard Sir Richard Sackville, my father, saye, that it was not permytted to come to the handes of Sir Richard Listar, or of Sir Roger Cholmeley. He thought Lawes of ye crowne.

that yf the late Earle of Southampton (whoe sometyme was Lord Chauncellour of England) weare lyveing, that he could make an account what is become of that booke."

"Trulye, my Lord of Buckhurste," quoth the Earle of Leicester, "I thancke you verye muche for discoveringe of the aforesaid severall jurisdiccions; and yett I, howe manye soever they bee, they doe all proceed *ex solio regiæ majestatis;* and further, I doe note by your lordship's argument that *infinitæ sunt legum species.*"

BUCKHURST. "Yea, my lord, your lordship will soe saye by that tyme that wee have gone thorough with the whole disputacion. But, my lord, nowe lett us intreate Mr. Recorder to shewe his mynde as towchinge your lordship's former question. Goe to, Mr. Recorder, lett us heare what you can saye to the matter."

RECORDER. "Althoughe (my singuler good lords,) the question propounded doth requyer a deeper consideracion then my simple wytte is able to reache unto, and my skill very slender, yett, because I ame fullye perswaded that although I erre I shall with favour obtayne pardon at both your good lordships' handes, I shall be the bolder to pursue the arguments uppon the aforesaid question as effectuallye as my knowledge will serve. I doe read that this worde Kinge is a Saxon terme, and doe originallye comme and growe out of this ould Saxon word cyning, which doth signefie a cuninge, a wyse, a virtuous, a polleticque, and a prudent person, fitt to governe as well in peace as in warres; and this word Queene, in the same toungue, is in effect of the same force, referringe the same to the female sex, and therefore it is to be noted that the crowne of England is not alwayes bound especiallye to be governed by the male; but yf there wante heyres males, then ought it to descend to the heyres females, as it appeareth by the judgmente given touchinge the dawghters of Zelophehad (xxvi. 33 Nombers), and as it did in the tyme of the Bryttons descend uppon Queene Cordeila, whoe was queene of this realme before the Incarnation of Christ 805 yeares, even at that tyme that the good Kinge Ozias did repayer the cittye of Jerusalem, which was in the yeare of the world 3358. This Cordeila was dawghter of Kinge Leire, whoe buylded the auntient cittye of Leicester; yea, and is it not a most true and playne matter, that the crowne of England maye descend and come to the female dawghter, where there lacketh heyre male, as it did unto Mawde the Empresse, whoe was dawghter to Kinge Henrye the First, and by the meane that William, Mary, and Richard, the children of the same Kinge Henry the First, were drowned in the seas by shipwracke, it soe fell out the said Mawde the Empresse became sole heyre, and notwithstandinge an ynterruption made by Kinge Stephen the intruder (for that is his proper addition in the auntient chronicles), yett the judgmente fell out for her parte, and she and her posteritye, even to this daye, have justlye and most rightfullye enjoyed the crowne without any enterclayme of anye person that ever hath bine heard of."

Kinge.

Queene.

LEICESTER. "I see that this is a greate and good proofe that the female hath had and enjoyed the crowne of England by just and lawfull tytle; but you have not showed what arguments weare made of Kinge Stephen, whie the female ought not to inheritt the crowne."

RECORDER. "There weare manye such arguments made, eyther by Kinge Stephen, or by some other that tooke his parte; for Stephen claymed the crowne as sonne and heyre to Adela, whoe was the eldest dawghter of the Conquerour, for he had yssue other dawghters beside the said Adela (viz.), Cecilia, Constantia, and Gundreda; and soe Kinge Stephen was not able to make argument

whie the female ought not to inherritt the crowne, because hee himselfe claymed the crowne by Adela his mother, whoe was (as I have said) the eldest dawghter of the Conqueror, and soe you see that the tytle of Kinge Stephen was by the female, which is another president for proofe that the female maye inheritt the crowne, or els woulde Kinge Stephen never have made tytle by the female."

BUCKHURST. "Mr. Recorder, a man must take heed to your argumente, or els he maye lett slipp manye thinges that be worthie notinge; for you said that the Conquerour had divers dawghters, and that Adela was the eldest, and that, as from Adela, beinge the eldest dawghter, Stephen claymed to be kinge. By this I note that even from the Conquest it hath bine taken, by the lawe of the crowne, that where the kinge had noe other children but females, there the eldest dawghter should solelye inherritt, and by consequence this my president to bee good and sound, that heerewhile I vowched out of the acte of parleamente made in anno xxviij Henr. viij. cap. vij. concerninge this matter."

RECORDER. "It is well noted; but your lordships knoweth that the manner of my arguments hath alwayes bine grownded uppon authorityes and presidents, and not on reasons ynvented by myselfe; and therefore it is to be remembred that myne argumente is not my owne argumente, but the speeches and judgments of those that first sett them downe, and after that every byrd hath plucked awaye his owne proper feather, I for my parte ame like in this could and blusteringe moneth of Nisan to become yellowe, and then maye I shrowde myselfe in a hollowe tree with the poore cuckoe."

LEICESTER. "I like *illud argumentum quod est ex authoritate sumptum*, for that is sound argument, and suche argument hath worthie John Jewell, late lord Bishop of Sarum, used thoroughout his whole bookes agaynst Dr. Hardinge; but, Mr. Recorder, as my Lorde of Buckhurst said, it is good to take heed to your argument, or els it maye be saide of my lorde and mee, that muche water passeth by the myll that the myller knoweth not of. But me thought you spake even nowe of a judgmente or sentence that was pronounced for Mawde the Empresse and her posteritye, agaynst Kinge Stephen and his posteritye; for I knowe that Kinge Stephen had yssue a sonne, called William the Earle of Bloys and of Warren, whoe overlyved his father, the which William did not succeed his father as kinge, but Henrye, who was sonne and heyre to the said Mawde the Empresse, did quyetlie succeed, as all men knowe. I would gladlye knowe what the effect of that judgmente or sentence was, and whoe was the judge thereof that gave that sentence, or whether by that sentence the person of Kinge Stephen were removed from the regall dignitye of the crowne."

RECORDER. "In very deed (my good lord,) I used those wordes (viz.), that a judgment fell out on the parte of the said Mawde and her posteritye. To that I answere, recordes doe make mencion of the civill warres that were within this realme by meanes of the severall claymes of the said Kinge Stephen and Mawde the Empresse and her sonne Henrye, for the quyett appeasinge whereof the noblemen and bishops of the realme brought the kinges to a consultacion touchinge the said severall tytles, and, that graunted, as well the kinge as the said empresse and Henrye her son did cause fyfteene archebyshoppes"—

Desunt cetera.

Here unfortunately the manuscript comes to an end. Comment on its main subject is unnecessary; its character lies upon the surface, and can be understood by every one: but, as Lord Buckhurst is here brought before us in the special character of an antiquary, which gives us all an interest in whatever relates to him, perhaps I may be allowed, in conclusion, to append part of a letter of his, which I believe has never been published, and which illustrates what I have before mentioned respecting the comparatively homely style of his living, even after he had been honoured with the peerage. I have been directed to this letter, the original of which is in the State Paper Office, by a reference to it in that great mine of information respecting our Elizabethan worthies, to which I have before referred, Mr. Lemon's "Calendar of State Papers." The letter is dated in 1568, September the 30th, and is addressed to the Privy Council. The circumstances under which it was written may be shortly stated. It will be remembered that in 1568 Cardinal Chastillon, one of the family of the Coligni, having preferred the faith of his relation the admiral to that faith to which his numerous and lofty church preferments seemed likely to bind him, sought refuge against a papal sentence of excommunication in England, accompanied by a bishop of Arles. The cardinal was received with distinction at the English court; and it was evidently a part of the government policy of the time to give encouragement to a person who was placed in the singular position of being a cardinal, and yet a Protestant. Amongst other places which he visited was the royal palace of Sheen. At that time Lord Buckhurst was residing there. His mother, as he states, "had the order and keeping of the house," under her majesty; and, by his mother's "sufferance," and on payment of forty marks rent to the crown, he was allowed to occupy a certain number of rooms, constituting about a fourth of the whole palace. Preparatory to the visit of the cardinal, the council wrote to Lord Buckhurst to do the best he could to accommodate the foreign dignitary, and also to give his assistance to the queen's officers, who were to make the necessary arrangements for the cardinal's reception. After the cardinal had paid his visit, complaints were made against Lord Buckhurst that he had not complied with the injunction of the council; and it was formally intimated to him that the queen was "greatly displesed with him, for that he had not in better sorte entertained the cardinall, who having bene with so great honor receved, not only by thos in whos houses he had rested before, but also even by the quenes maiestie herself, her highness did the rather take it in verie ill parte." It is his answer to this censure that I am now about to read. It runs thus:—

Toching the furste parte of this message, with how grete greif I received the same, God and my

sorofull harte can beste witnes. So injuste reportes of me to her majesty trobled me very muche; her highness displesure a grete dele more; but doubting how to remove the same, that greved me most of all. For, whatsoever my deserte have bene, I know not how I may presume to clere myself, yf her majesty have alredy condemned me; and yet, thinking it both a great fault and a folie to betraye mine ynocencie with silence, I have resolved to laie before your lordships, plainly and simply as it past, the whole discourse of my deling towards the cardinall, with this protestacon beside, that yf anie parte thereof be found untrue, I wishe to myselfe the losse of her majesty's favor, and consequentlie of my lief withall: and therefore when your lordships shall have considred therof, if to the same it may apere that I have no waies deserved this displesure, I shall then most humblie beseche your lordships, that ye will vouchsafe on my behalf, with most lowly peticon to her majesty, to restore me again to her majesty's most gracious favor.

Yt may please your good lordship therefore tunderstand, that having receved your lordship's lettres that I should repaire to Shene, and there to do the beste I cold, in accommodating the cardinall, with mine advise, aid, and assistans towardes her majesty's officers who then were at Shene for that purpose (the same your lettres containing no other effecte at all), I toke hors within one hower after, I being then xxx. mile of from Shene, and so rode all the night. And upon my coming thether, being but two daies before the cardinal's arrival, I spake with her majesty's officers with whom I had conference for the better accommodating of the cardinall. I brought them into every part of the house that I possessed, and showed them all such stuff and furniture as I had; and where they required plate of me, I told them—as troth is—that I had no plate at all. Suche glasse vessels as I had I offered them, which they thought to base. For naperie, I cold not satisfy their turn, for they desired damask work for a long table, and I had none other but plain linnen for a square table. The table whereon I dine meself I offered them, and for that it was but a square table they refused it. One only tester and bedsted not occupied I had, and those I delivered for the cardinall himself; and when we cold not by any menes in so short a time procure another bedsted for the bushop, I assigned them the bedsted on which my wiefes waiting wemen did lie, and laid them on the ground. Mine own basen and ewer I lent to the cardinall, and wanted meself. So did I the candlestickes for my own table, with divers drinking glasses, small cushions, small pottes for the ketchin, and sundry other such like trifles, although indeed I had no greater store of them then I presently occupied; and albeit this be not worthy the writing, yet mistrusting lest the misorder of some others in denieing of such like kind of stuf not occupied by themselves hath been percase informed as towardes me, I have thought good not to omit yt. Long tables, forms, brasse for the kitchen, and all such necessaries as cold not be furnished by me, we toke order to provide in the towne; hanginges and beddes we received from the yeman of the wardrop at Richmond. And when we saw that naperie and sheets cold no where there be had, I sent word thereof to the officers at the courte, by which menes we recieved from my lorde of Leceter two pair of fine shetes for the cardinall, and from my lord chamberlen one pair of fine for the bushop, with two other courser pair and order beside for ten pair more from London. At which time also, because I would be sure your lordships shold be asserteined of the simplenes and scarsytie of such stuff as I had here, I sente a man of mine to the courte, speciallie to declare to your lordships that for plate, damaske, naperie, and fine shetes I had none at all, and for the rest of

my stuff, neither was it such as with honor mighte furnishe such a personage, nor yet had I any greater store thereof then I presentlie occupied, and he brought me this answer again from your lordships, that if I had it not I could not lend it. And yet all things being thus provided for, and the diet for his lordship being also prepared, I sent word thereof to Mr. Kingesmele, and thereupon the next daie in the morning, about nine of the clocke, the cardinall came to Shene, where I met and receved him almost a quarter of a myle from the hous, and when I had furste brought the cardinall to his lodginge, and after the bushop to his, I thought good there to leve them to their repose.

The next morning, making excuse of urgent business, Buckhurst quitted home, and did not return until long after his guests—if they were to be considered such—had left the palace. On his own showing there was no cordiality in his reception of them; but my purpose is not to dwell on that part of the story, but simply to point attention to the homeliness of Lord Buckhurst's domestic arrangements at Sheen. But all this was soon altered. He who had occupied a part of Sheen by sufferance, without plate, and with nothing but plain linen, in an age when the dinner-tables of the noble glittered with vessels of splendid silver, and were covered with curious ornamented napery, lived to possess not merely ample, but even extraordinary, stores of all such articles. In his will he makes mention of the "white silver plate ordinarily used in his several mansion-houses;" and he bequeaths to his wife a complete set of "fifty-and-one pieces of white silver vessell," to be selected at her pleasure, besides the silver plate and silver vessels appointed for her cupboard and "cushion cloth;"[a] he gives, also, to his heir, all his gilt silver plate, with "one hundred pieces of white silver vessell," and makes mention of the care and charge, by the space of many years past, with which he had "gotten and gathered together" these valuable stores. His will also contains numerous legacies of plate and jewels to the most distinguished of his contemporaries, with many other highly curious bequests, which manifest the superabundance of his wealth in these particulars, and the entire recovery of his estate from that condition of depression to which we have seen it reduced.

I will only add, that if any Fellow of this Society shall ever be able to direct me to a complete copy of Fleetwood's "Itinerarium," I shall esteem myself indebted to him.

[a] Collins's Peerage, vol. ii. p. 131, ed. Brydges.

XXII. *An Account of the Investigation of some remarkable Circular Trenches, and the Discovery of an Ancient British Cemetery, at Stanlake, Oxon. By* JOHN YONGE AKERMAN, *Secretary S.A. and* STEPHEN STONE, *Hon. Memb. Ashmolean Society.*

Read 3 Dec. 1857.

"These are sad sepulchral pitchers, which have no joyful voices; silently expressing old mortality, the ruines of forgotten times."—Hydriotaphia, Ep. Dedicatory.

IN a communication by Mr. Stone, read to the Society of Antiquaries in the last session,[a] the writer alluded to the appearance of a number of circles, heretofore looked upon by the country people as "Fairy Rings," which had been observed by him among the corn. As the summer advanced, additional circles became visible, and finally the number which could be distinctly traced amounted to thirteen.

The spot on which these phenomena had exhibited themselves is five miles south of the town of Witney, and about half a mile north of the church of Stanlake. Nearly the whole of the district was, until very lately, Common land, and has only recently been brought within the operation of the Inclosure Act. In the neighbourhood immediately S.W. of these circles rises a fine perennial spring, called Chadwell, and about two furlongs further west, another, termed Rawpit, while at about the same distance N.E. are several others known as the Underdown Springs, —all celebrated for the purity of their waters, which have never been known to fail. The last-mentioned springs, after flowing about two hundred yards, empty themselves into a branch of the Windrush, a tributary of the Thames or Isis, which it joins about a mile and a half to the south. The district is, however, remarkably barren of all external objects of interest, and a superficial view of it would certainly not lead the antiquary to infer that the earth held the relics which recent research and accident have brought to light; yet within the radius of a mile

[a] "Account of certain (supposed) British and Saxon Remains recently discovered at Stanlake, in the County of Oxford." Proceedings of the Soc. Antiq. vol. iv. p. 92.

may be noted no less than four Anglo-Saxon cemeteries, namely, at Cokethorpe, near Yelford, at Brighthampton, and in the immediate vicinity of the pits already described by Mr. Stone.

On the gathering in of the harvest an examination of these circles was determined upon, and arrangements for that purpose having been made by the Rev. Dr. Wilson, President of Trinity College, Oxford, and other gentlemen interested in the antiquities of the county, the investigation was forthwith commenced. The result will be seen in the following Diary.

Septr. 16.—Opened ground for the purpose of exploring the circles in a field of saintfoin on the Downs, with the permission of Mr. Thomas Pinnock, the owner and occupier of the land. The sizes and relative distances of the circles will be seen by reference to the accompanying plan. (Plate VIII.) On excavating No. 1, in several places, the circle was found to consist of a trench 12 feet in width at top, the sides sloping gradually until they met at the depth of 5 feet 6 inches, thus V. No abrasion of the sides was observed, nor were any marks indicative of the trampling of feet, either of man or beast, nor the least appearance of exposure to the weather, distinguishable. On the contrary, the trench had apparently been fashioned with the nicest care, and then filled in again. The preservation of its original form could not have been more complete.

The trench was discovered to be full of a dry, but rich looking, earth, among which occasional fragments of very rude, unbaked, and exceedingly friable pottery were observed, mingled with which were the bones of the ox, the deer, the sheep or goat, the hog, and other animals. These, like the pottery, appeared to be of remote age. Here and there a stone was noticed which had been subjected to the action of fire. No other remains were observed.

The area, 76 feet in diameter, inclosed within the trench, appeared not to have been disturbed, except near the centre, where a circular excavation was discovered, about 2 feet diameter, and 18 inches in depth, having a slight trench a few inches in width and depth across the bottom of it.

No. 2 was next examined. The trench was opened in several places. It was found to be 11 feet in width at the top, the sides sloping until they met at the depth of 4 feet. It contents were precisely of the same description as those of No 1, and its original form was as completely preserved; the area however which it inclosed was not circular, but oval, having diameters of 87 and 73 feet respectively. No excavation whatever could be discovered within the space inclosed within the trench.

Septr. 17.—No. 3 was next examined. The trench was found to be 12 feet wide

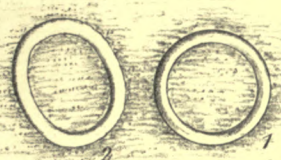
No 6. was found to be the site of a Cemetery.

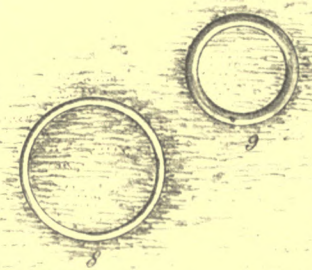
In No 5 at a, an urn containing calcined human bones was disclosed by the plough Oct.r 19th 1857.

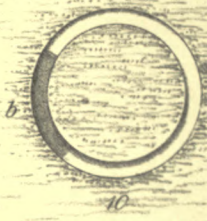
In No 10 at b. a mass of ashes with calcined bones of various animals was found.

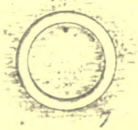
Nos 7, 12 & 13 have not yet been opened.

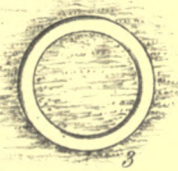
EXAMPLES OF THE URNS.











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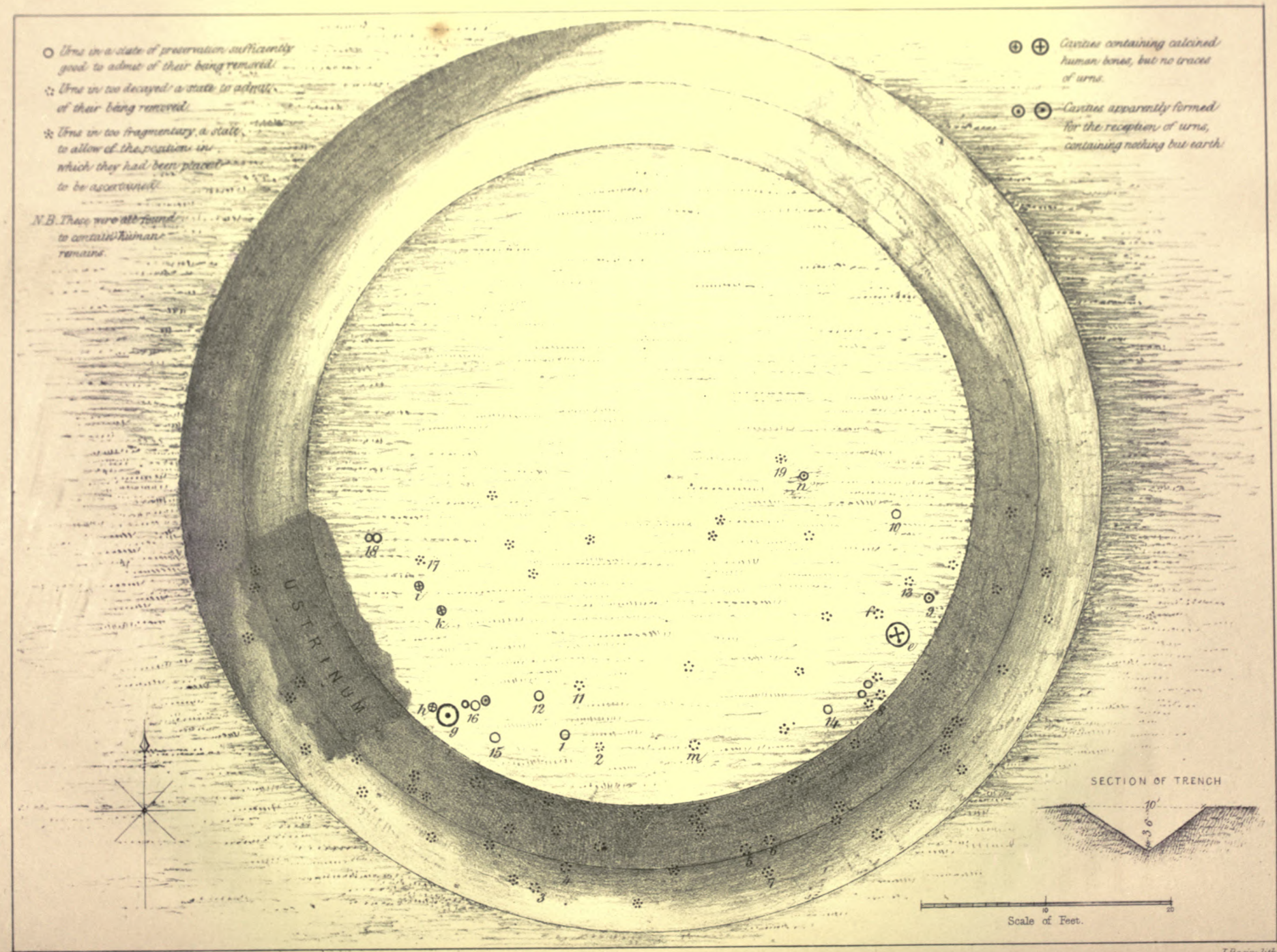


Planned and Drawn by Stephen Stone.

J. Bazire Lith.

PLAN OF AN ANCIENT BRITISH CEMETERY AT STANLAKE, OXON. EXPLORED OCTOBER, 1857.

Published by the Society of Antiquaries of London, 23rd April, 1858.

at top, the sides sloping like those of Nos. 1 and 2, and meeting at the depth of 5 feet, the area inclosed being 92 feet in diameter. In this trench considerable derangement was observed: its sides had been shelved down, and a quantity of the loosened gravel was found lying at the bottom, as though the foot of either man or beast had frequently trodden it. No excavation was discovered in the area inclosed by the trench, the contents of which, with the exception of the loosened gravel, agreed with those of Nos. 1 and 2.

No. 4. The trench here was found to be 15 feet in width at the top, the sides sloping until they met, at the depth of 4 feet 9 inches. The circular area it surrounded was 90 feet in diameter. No disturbance of the sides of the trench was observed. Its contents were precisely similar to those of the others.

Septr. 18.—No. 5 appeared to differ in nothing, except in its dimensions, from the last. Width of trench at top, 10 feet, depth, 3 feet 9 inches. Diameter of area inclosed within the trench, 102 feet.

Devoted the remaining part of the day to an examination of No. 6. (Plate IX.) Opened and cleared out a portion of the trench at the northern side, which was found to be 10 feet in width at top, the sides sloping in the manner already described until they met at the depth of 3 feet 6 inches. There was no perceptible derangement in this portion of the trench; its original form appeared to be well preserved; neither could anything remarkable be perceived in its contents; but, on clearing out a portion on the south-western side, fragments of unbaked mortuary urns, mostly of the rudest description, were found occupying the cavities in which they had originally been placed, the calcined human bones lying within them.

Septr. 19th.—Discovered further evidences of cremation in fragments of urns and calcined human bones. Although, as already observed, the greater portion of the urns were of the coarsest material, and of the rudest workmanship, a few fragments were of finer material and ornamented with a variety of patterns. As the workmen proceeded marks of fire became more evident, the mould being exceedingly fine and densely black. It should be remarked that by far the greater portion of the bones had been subjected to violent and continuous combustion, with free access of air, which had rendered them perfectly white, and given them the consistence of porcelain; but in one or two instances the combustion had not been conducted so carefully, and the bones had assumed the appearance of charcoal, and had not been reduced to such fragments as in the other cases.

Septr. 21st.—Continued the excavation in a northerly direction, to the extent of 15 feet, when the vein of black mould was exhausted, and no further traces of urns or bones were observed. This portion of the circle, in fact, appears to have been

the *ustrinum*, or burning place, where the bodies underwent the rite of cremation, and the constant iteration of that ceremony on this spot may possibly account for the shattered state of so many urns in its immediate vicinity. We seem justified in arriving at this conclusion, from the circumstance of our finding the urns more perfect in the more distant parts of the area.[a]

Septr. 22.—The area thus far explored appearing to yield no other relics than those above described, and these excavations having been undertaken with a view to discover the general character of the circles in this neighbourhood, permission was obtained from Mr. Carey Pinnock to explore four circles in a field occupied by him on the opposite side of the road, in a direction N. E. of the one last examined. Accordingly No. 10 in that field was opened on the N. W. side. The trench presented precisely the same features, being 10 feet in width at the top, and 3 feet 9 inches in depth. On the S. W. side, immediately below the natural soil, the labourers came to a bed of ashes, about one foot in depth, containing large quantities of calcined bones of the hog, sheep, or goat, and other animals. With these were mingled fragments of the rudest description of unbaked pottery. The disposition of these remains was limited to the width of the trench, and extended to a distance of 90 feet; the area inclosed within this trench being 124 feet in diameter.

The time allowed for exploring the circles in this field being very limited, their investigation was necessarily incomplete.

No. 11 was next examined. The area, 100 feet in diameter, was found to be encircled by a trench 12 feet in width at top, and 5 feet in depth. Nothing remarkable was observed beyond a fragment of Roman or Romano-British pottery.

Septr. 23rd.—From a brief examination of the circles Nos. 8 and 9 the following results were obtained.

No. 8. Trench 6 feet in width at top, and 3 in depth, inclosing an area of 106 feet diameter.

No. 9. Trench 9 feet in width at top, the sides sloping until they met at a depth of 4 feet, the contents disclosing no new feature. Area 77 feet in diameter.

Septr. 24.—The labourers were this day occupied in filling in and levelling the earth in Mr. Carey Pinnock's field.

Septr. 25.—The investigation of the area of the circle No. 6, in Mr. Thomas

[a] An old shepherd informed us that he had often penned his sheep on this spot, which may account for the destruction of many of the urns.

Pinnock's field, was resumed, and the search continued on the S. W. and E. sides, when several more shattered urns and calcined bones were discovered.

Septr. 26.—Continued the search eastward. Found more shattered urns, with their osseous contents. One of these (No. 3) was standing upon pieces of rock, evidently placed for the purpose; another (No. 4), the bottom of which and the greater part of the side fell to pieces, was placed upon a flat stone; another (No. 5), was found inverted; a fourth (No. 6) was standing upright; and another (No. 7), reclining on its side.

Septr. 28.—Continued the excavation round the trench on the eastern side, proceeding thence northward, in which latter direction other fragments of urns were discovered, but at length they were no longer perceived, and in despair of meeting with anything that could afford us further illustration of the use and object of these curious circles our operations at this spot were suspended until

October 3, when Dr. Wilson and Mr. Atkins, of Kingston Lisle, came over to see the progress of the excavations. On reviewing with those gentlemen what had been effected, and deliberating as to the chance of further discovery, we found that the earth had fallen away at one particular spot where it had previously been loosened, and had disclosed a group of four urns, in a far more perfect state than any yet met with. Two of them were inverted, a third reclined on its side, and a fourth was standing upright. They were deposited within a few inches of the surface, and just within the area inclosed by the trench. Hitherto all those discovered, with the exception of one which was just beyond the inner edge, and close to the group just above mentioned, of which it may be considered to have formed a part, were contained in the trench itself. It should here be mentioned that the area within the trench had already been cut across in three several places, but no traces of interments had been observed. This furnishes a significant hint to future explorers, and shews the necessity of a thorough search in places like those under notice.

October 5th.—The examination of the circle No. 6 was this day resumed, and four urns were discovered, and got out in a more or less perfect state. One of these (No. 9) measures 10 inches across the top and 6 inches at the base, its height being 12 inches, and its only ornament a row of indentations, apparently made with the point of the finger, surrounding it about two inches below the rim. This urn was placed upright in a pit 2 feet 8 inches deep, and 18 inches in diameter, the space between the urn and the outside of the pit being filled in with ashes. Urn No. 10 was found in an inverted position, and No. 11 lying on its side. No. 14, a singularly rude and ungracefully-shaped urn measuring 8 inches across the top, $5\frac{1}{2}$ inches at the base, and 10 inches in height, ornamented with a row of impres-

sions somewhat similar to those on No. 9, just above which it had been pierced with a couple of small holes one inch and a half apart. Among the bones contained in an urn (*f*) which had perished, a *spiral bronze finger-ring* of the plainest form was discovered, — the only fragment of metal brought to light by these excavations. Near this spot was a cavity (*e*) 2 feet in diameter and 6 inches in depth, which contained a large quantity of human bones, and ashes of a very light colour.

October 6th.—Removed the soil from a further portion of the area, and discovered several more urns, two of which were sufficiently sound to allow of their being removed. No. 12 was found in an inverted position, as was also No. 13, directly under which was another also inverted. No. 1 was standing upright. This urn measures 9 inches across the top, 6 inches at the base, and is 10¼ inches high. Around it are three rows of impressions, made apparently with the finger: the rim is also marked with impressions, half of which appear to have been made with the finger-nail and the other half with a pointed stick. No. 2 contained the calcined bones of a child, with which were mingled the scapula and other unburnt bones of a kid or lamb.

October 8.—Proceeded with the removal of the soil from further portions of the area. Discovered urn No. 15 lying on its side, the upper part absorbed, and the remaining portion so much decayed as to require bandaging previous to its removal; a necessary precaution in almost every instance. We next came to a large urn (No. 16), which had a small one placed by its side, and in contact with it, both standing upright. The largest measures 9½ inches in height, 7½ inches across the top, and 6 at the base. It is ornamented with a rude moulding on the upper part. The smaller one, which is similarly ornamented, is basin-shaped. It measures 5¼ inches across the top, which is also its height. Close to these urns a cavity had been formed, apparently for the reception of a third, which, however, was not destined to receive an interment. It contained not a vestige of urn, bones, or ashes; and if designed, as it appeared to be, to receive an urn, the accidents of humanity had defeated the intention.

Within two feet of the same spot another circular pit was discovered (*g*), about 1 foot 8 inches in diameter, and 3 feet 6 inches in depth. The mouth of this cavity was carefully closed with pieces of rock. Like the former, it appeared to have been prepared for the reception of an urn, which probably did not find a location within this cemetery. No traces of bones or ashes were found within it; it contained earth only. Close to this cavity was a small one (*h*), containing the ashes of a child, without any trace of an urn. The shape, however, of the compacted

mass of bones, plainly indicated that they had been deposited in a vessel of circular form, which had become absorbed by the surrounding soil. The number of urns hitherto discovered here which had been partially absorbed warrants this inference, while it suggests to us the probability that interments by cremation observed in other localities apparently without urns were not committed to the earth unprotected. Traces of two more urns were also found here.

October 9.—Continued the removal of the surface soil, and discovered two more cavities (*i* and *h*), containing human remains, but without traces of the urns, which had perished in both instances. Near to these was found an urn (No. 17), ornamented with the herring-bone pattern, but in a very shattered state. Beyond this was found a large and a small urn (No. 18) in close contact with each other, the first standing upright, the other inverted. The largest contained the bones of an adult, the smaller one those of a child. At some distance to the east of these was a fourth (*m*) in an inverted position. It had been superficially buried, and had been injured by the passing of the plough, but its contents lay together in a compact mass of calcined human bones. On separating this mass *an arrow-head of flint* was discovered. It had evidently been deposited in the urn when its contents were still glowing from the funeral pile, and had been bleached to whiteness by the heat, which had caused it also to crack in three places. In this way one of of its barbs has been lost. This object, although of little value in itself, is of vast significance, affording as it does an idea of the condition of our primitive forefathers in this district of Britain. Whatever difference of opinion may exist among antiquaries as to what is called the "Stone Age," no one will hesitate to ascribe this object to a very early period, long before the effects of Roman civilization had been felt in this Island. Fragments of two other urns, filled as before, were also discovered near the same spot.

October 10th.—We this day completed our investigation of the area, having throughout the day discovered the traces of two urns only, with their contents, one of which (No. 19) was placed N.E. of the centre of the area, and a cavity (*n*) containing earth, but no trace of urn or bones.

October 12th.—Excavations were this day made without the trench, with a view to ascertain whether the interments extended beyond its outward limits; nothing, however, was discovered in that direction, the ground having apparently never been moved.

Here, for this season, at least, our explorations ceased, as it became necessary to level the ground we had disturbed, preparatory to its being brought into tillage. Our researches within this circle occupied thirteen days, and, as may be seen by

reference to the accompanying plan, they have resulted in the discovery of upwards of eighty interments of one generally uniform character. Yet, although all of them have occurred within a certain space bounded by one of the circular trenches, it appears, nevertheless, doubtful whether those areas were originally designed for the purposes to which at least one of them has been consecrated. Further research may possibly lead to further discoveries, and eventually afford a solution of what is at present an archæological enigma. That the trenched circles were not intended as inclosures for cattle seems evident from the peculiar formation observed in all of them, for, as already stated, their sides slope gradually from the edge to the bottom, and would, therefore, offer no impediment to the ingress or egress of any animal. For the same reason they are not adapted for defence against the attacks of an enemy. If the areas inclosed within them are, as may be conjectured, tabooed spots, consecrated to religious rites, further research may possibly render this apparent; and it is to be hoped that after the gathering-in of the next harvest the investigation may be renewed, and attended with more satisfactory results. The facts elicited by what has already been effected shed a new light on the sepulchral usages of our primitive forefathers, and will probably lead to discoveries in other localities hitherto not suspected to conceal such interesting remains. They help also to dissipate a very common error among antiquaries, namely, the belief that the graves of the ancient inhabitants of Britain were generally protected by tumuli, a belief founded on the description given by Tacitus of the burial of men of note among the ancient Germans:—"Funerum nulla ambitio: id solum observatur, ut corpora clarorum virorum certis lignis crementur. Struem rogi nec vestibus, nec odoribus cumulant: sua cuique arma, quorumdam igni et equus adjicitur. Sepulcrum cespes erigit."—Germ. xxvii.

That this description would apply to the funeral of an ancient British chief is extremely probable; and, if read by the light which researches like these supply, we shall perceive that the words of the great historian have reference to the interment of individuals of rank and fame, and do not imply that the tumulus was erected over the graves of the lowly and unhonoured dead. That the interments at Stanlake rank with the latter class seems abundantly proved: within a portion only of a circular area of seventy feet diameter were detected upwards of eighty interments, only two of which were accompanied by relics, and those of the simplest and most primitive description.

JOHN YONGE AKERMAN.
STEPHEN STONE.

15 November, 1857.

XXIII.—*On the Land of Ditmarsh, and the Mark Confederation. Communicated by* Benjamin Williams, *Esq. F.S.A. and F.R.G.S. in a Letter to Rear-Admiral* Smyth, *K.S.F., F.S.A. &c. &c.*

Read November 26, 1857.

November 9th, 1857.

My dear Admiral,

That excellent scholar the lamented Kemble has pointed out the correspondence which exists between the mortuary urns of our ancestors, the borderers on the Elbe and the Eider, and many of our own. The same correspondence may be expected to be found in the institutions we have in common, and I now beg to submit to the Society of Antiquaries some account of probably the most striking example of the old Mark Confederation,[a] the foundation of our elective institutions. In the republican community of Ditmarsh—which existed till the promulgation of the new Danish Code of Laws in 1554—we may see the germ of our power of self-government and of our jury system. Their system of house-marks was certainly once in use amongst our own yeomen, although now nearly obsolete; a system which throws, I think, considerable light on the papers on the Hide of Land and certain Manorial Customs, which, through your encouragement, I submitted to the Society, and which are printed in Volumes XXXIII. and XXXV. of the Archæologia.

Well does Professor Dahlmann call the attention of "those who discover the spirit of freedom and honour only in mountainous countries, such as Switzerland and the Tyrol, to the north-western extremity of Germany, washed by the North Sea, a tract of country not undistinguished in the Middle Ages. Here, for centuries, flourished the truest freedom, not only within the fortified Hanseatic towns, but in open fields, on the open low lands from Fly, Upper Lauer, Ems, Jahde, to the northern side of the Eider, the home of our North Frisians. The hat of the noble free Frisian of the Seven Seelandes was a terrible war-badge for him who respected but slightly the property of men who

[a] The reader is referred to Kemble's "Saxons in England" for an explanation of the markland—the uncultivated land that bordered the settlement. The modern words marches and lords marchers are only corruptions of A.-S. *mearc*.

enjoyed their federation, their lands, and their rights, or who hoped to fetter that arm which waged continual warfare with the floods of the North Sea. Situated between the Frisians of the Great Confederation and the brave Northern Frisians of Holstein, the independent people of Ditmarsh have claimed and cultivated a small corner of the globe."[a]

This interesting land, situated between the mouths of the Elbe and the Eider, on the western coast of the province of Schleswig, is not more than seven (German) miles long, from Lunden in the north to Brunsbuttel in the south, and from three to four miles wide from the western coast to the eastern boundary, beyond Alversdorp. This powerful commonwealth of a bold peasantry (reminding us of the Odelsbondin of Norway), which maintained for centuries an isolated and strange independence, consisted of not more than from 40,000 to 50,000 souls, of whom fully 6,000 were armed men; and they long succeeded in warding off all supremacy as not assimilating to the constitution of the country. A purely agricultural community—for their two small but principal towns were little else—they retained freedom in honourable peasantry, and knew how to preserve their landed property untaxed, without lords' tribute or lords' service, and to maintain a peculiarly matured state of cultivation, with unrestricted freedom of trade, and with judges chosen from their own body, so that an old chronicler of Ditmarsh could well say, "We have neither lord nor head, and do what we will."[b] Professor Michelsen has remarked, that he who wishes to study the condition of the peasantry in its original freedom and in all its bearings, should not resort to Central Germany, where on every side he will meet with palpable traces of their servitude, but should rather seek the Frisian races, or, still better, the commonwealth of Ditmarsh, as developed in its Book of Rights.[c]

From this precise district formerly emigrated some of those tribes which succeeded in effecting a permanent settlement in England. Here dwelt the "wondering borderers of the Elbe and the Eider," as Kemble called them, rovers who wondered at the spoils of Roman cultivation they found in England. These were the "Nortliudi trans-Albim sedentes" of the Annales Laurish. and Einhardi (quoted by Pertz, i. 184—186), also called the Marcomanni or Nordalbingii by

[a] Neocorus der Dithmersche, von Dr. F. C. Dahlmann. Kiel, 1818.

[b] Johann Adolfis genannt Neocorus, Chronik des Landes Dithmarschen, von Professor F. C. Dahlmann. 2 vols. 8vo. Kiel, 1827.

[c] Sammlung Altdithmarscher Rechtsquellen von A. L. J. Michelsen. Altona, 1842. His former work has also been consulted, Urkunden-sammlung zur Geschicht von Dithmerschen. Kiel, 1839; and the same author's Nordfriesland im Mittelalter. Schleswig, 1828.

Hrabanus Maurus at the beginning of the ninth century. (See Kemble, in Archæol. XXVIII. 334.) The main part of the waters of the Elbe were formerly diverted from their present channel by an immense island of sand (Sandfoert) which lay off the western coast of Ditmarsh, causing them to flow in a stream parallel to the coast; and, till the year 1500 at least, they actually passed through the western peninsula of Ditmarsh, and discharged themselves into the Eider. Busen was then a considerable island, and there were others, which are laid down in Neocorus's map. The tribes of the Angeln were the immediate neighbours of the Ditmarshers, and sailed down the Eider. The provincial language of Ditmarsh, as spoken in the present day, is a dialect of the Platt Deutsch; three centuries ago it was the nearest approach to Early English of any of the Anglo-Saxon off-shoots.[a] The following list of names of places, extracted from King Waldemar's *Erdbuch* (*Census Daniæ* in Langebek, Script. Rer. Danic. vol. vii.) of the beginning of the thirteenth century, will enable the reader to judge approximately in what degree these Northmen gave the names of their own towns to their settlements on or near our coast; more might be added:—

Rö, or Ruye, or Rythæ, Stening,[b] Worthing, Öre, Hethe, Rumsö, Boking, Swansö, Vinblæsæ or Vintblæsö, Hölby, Grumby, and Withby. The Ditmarshers have also a Lund, *nemus*, and Lunden, but the latter town rose only in the middle ages. Our heathendom was also nearly allied, as the following list of places in Ditmarsh will testify: Wodenslag, Frestede (Freia), Herstede (Hertha), Hemmingstede, formerly Ham, Heme, and Hamste (from Thor-Hama or Jupiter Hamoys), Sonnenwohld, Mondestempel, and Marskammer. There is also a marked similarity in our family-names, witness the following list of families in Ditmarsh in the fifteenth century: Bute, Butteler, Evers, Greeve, Hartman, Hemming, Harder, Helman, Habie, Jerriman, Portman, Rise, Suwell, Weneman, and Wilder. "When we consider," said Kemble, "the extent of the former tribes (and in Ditmarsh there were *Geshlechts* of 200 families bearing the same name) we shall not be surprised to see them reproduced on our own shores."

This interesting land received its first settlers from Friesland and Saxony,[c] and

[a] The similarity of their proverbs and phrases is remarkable; *ex. gra.* Flo und ebb, Sink oder swim, Slick un slamm, Quit und frie, &c. The most important publication in the Ditmarsh language is a pleasing collection of pastoral poems, called "Quickborn" (Hamburgh, 1857), to which is prefixed a précis of the language by Professor Müllenhoff of Kiel. See a notice in the Gent. Mag. for Nov. 1857.

[b] The termination *ing* is Gothic, *pratus*, *pascuum* (Lye), as in Read*ing*, &c.

[c] It is worthy of remark that the men of Frisian and the men of Saxon descent were often in opposition in the troublous times which succeeded the Reformation.

later settlers from Westphalia and other places. The great emigrating tribe from Friesland, the Vogdemannen, established itself in two *marks* on the sea-shore, in the so-called *marsh*. They called themselves, after their dwelling-place, the North and South Vogdemannen, on which account both of the marks inhabited by them received in later times the names of the North and South Strand. The emigrating tribe from Saxony—amongst whom that of the Woldesmenner was the most important—settled in the midst of the country, in the so-called Geest,[a] further inland than the marsh, in two other marks, which afterwards received the names of North and South Hamme. It was only in later times that to these four marks a fifth district was added, the Meldorper Dörfft. The land was known in the latter half of the eighth century as Thiatmaresgaha; and it is recorded that about this time the Ditmarshers fought with the East Saxons under Duke Hassio. The population must have been considerable. Numerous weapons and instruments of the bronze period have been found in the land, and are now preserved in the Danish museums and at Berlin.

From the four original marks, Charlemagne, in the year 804, when the land had become united to the French kingdom, formed a distinct Christian Gá (German, *Gau*). The tithe was appointed and the great baptism held twice a-year, when no Ditmarsher could absent himself under the penalty of death. Seven parishes only are recorded in the ninth century. Early in this century the land appertained to the bishopric of Bremen; but yet it was only after long struggles with the Dukes of Saxony and the Counts of Holstein and Denmark, and after the battle of Bornhövede, at the beginning of the thirteenth century, that the bishop's lordship was recognised, so that the old mark system, which could not be said to be altogether annihilated during the short dominion of the distant French, had the necessary time to consolidate itself, and to become a great Mark Confederation. The bishop as "Emunitatsherr" (lord of the unappropriated wood-lands, somewhat analogous to our lord of a manor) had no legislative power or voice whatsoever, and no other claim than the *Blutbann* and *Heerbann*, and some revenues connected therewith; all the remaining rights belonged to the landed community, "communitas terræ Thetmarsiæ." Their self-made code of rights was only taken away ten years after the Church Reformation, and only after the terrible thunder, in the "leste Feyde" of 1559, of more than a hundred cannons of an enemy whose number four times surpassed their

[a] Geest, Old Frisian geste, mediæval Lat. *gastum*, is the elevated sandy, wood and heather land towards the east of the country. It was partitioned into *koppeln* by mounds and quick-set hedges, called *knicken*, and so called because they are cut every three or four years.

own; when, on a bloody battle-field, and under smoking ruins, they were compelled to yield to the sovereign of Holstein. Many severe previous and victorious struggles are recorded by Neocorus, particularly those of the years 1319 and 1500, the last at the entrance of the low-lands, on the so-called *Dusentdüwelswarf* (thousand-devils'-hill), in the neighbourhood of the Swinmoor. The following is the account of the old government of the country previous to the publication of the Code of Rights in 1447, as given by Neocorus:—

"The old Ditmarsh Government was arranged in the following manner: there were in every parish 'the Sixteens,' as they were called; amongst them were two Schlüter, who were also obliged to administer the possessions of the Church as churchwardens. They held their consultations weekly throughout the year, and if anybody intended to go to law he was to appear before this tribunal, and he demanded that the party of whom he complained should also appear before the court; upon that, one of the neighbours of the defendant was obliged to summons him. When the two parties had arrived, and the complainant and the defendant had been heard, the court of law pronounced sentence. If any one was not satisfied he might appeal from the Sixteens to the whole parish. In small parishes there were sixteen, in the larger ones twenty-four *Kerknemedes*. All appeals were brought before the parish, which decided. There were two Schlüter in the small parishes and four in the larger ones. Inferior to the Schlüter were the five Bögede or Vögte (*advocate*), who were appointed by the Bishop of Bremen to take care of his privileges. Usually the Kerknemedes were judges in matters of debt, the Schlüter were the judges of the scoundrels, thieves, and robbers, a jurisdiction of great use to the country. If the Schlüter of a parish were not strong enough, they called to their aid all the other Schlüter of the country to assist in the binding and the burning, which were the punishments of the whole land."[a]

The parish Nemedes or Nadmanne, that is, the named or elected above mentioned, were the sworn representatives elected for life by the community of each parish from the most worthy and well to do of their members. They were so called from the old Saxon word, *nömen* or *nemen*, to name. In Sweden they were called *Nämd*, in Jutland *Näffn*, *Nävn*, from the Danish *nävner*.[b] These were the judices primæ instantiæ, and assessors of the people's rights. They were also

[a] Women of bad life were burnt, and their relatives assisted at the execution. Traitors and murderers were beheaded.

[b] Schleswig-Holsteinische Provinzial-Berichte for 1793, p. 114. Even now, in Sweden, the word Nämd is customary, which signifies a committee elected as assessors of justice; for example, Tolfmanna Nämd, the committee of twelve Bauern, elected as assessors in the administration of the district.—Idem.

called the geschwornen, *jurati;* and by the people of Frisian descent they were termed the *Landes Gevolmächtigen, Vollmachte, Vullmach,* that is, the principal people of the whole land. It is worth while to observe the spirit of satire in which the Vullmach, slight as was his pre-eminence, is spoken of in the national poems. The importance with which he strides up the steps of his house on a court day, all the neighbours making way for him, is humorously painted. From their body the juries were invariably chosen, and on that account a jury was called a Nemede. Originally the bishop had only one Vogt or steward; in course of time a Vogt was appointed for each of the five Döffte or divisions of the country; but with the increase of their number their authority was divided, their power weakened, and their efficacy gradually reduced to a form. The Schlüter were two officers annually chosen from the Nemedes, whose business it was to convene the Nemedes, to preside over the juries, and to give effect to their verdict, to superintend the apportioning of the land by lot, to direct all military affairs, and to take care of the roads, bridges, and dykes. They were earlier called Schliessern (Schlüssel führer, those who kept the key of the parish chest), and in Latin *clavigeri.* After the partial breaking-up of the mark system, which, according to State-Counsellor Maurer, took place in Denmark, Germany, and Bavaria in the latter half of the thirteenth century, they had the care of the books, in which every man's arable land was registered.[a] They also collected the tithes and church dues.

In the year 1265 the supreme government appears to have been invested in "Der Voigt, die Ritter, die Rathgeber, und die ganze Gemeine des Landes zu Dithmarschern," or, as it is expressed in another document, "Advocatus, milites, consules et tota communitas terræ Thetmarsi." (Neocorus, Chron. i. 649.) In a document of the year 1281 no counsellors are mentioned, only "Milites, advocatio (Ritter und Voigte), et universitas terre Ditmarcie." In the year 1304 we find, "Der Voigte, die Ritter und der ganzen Dithmarschen Gemeine." Anno 1308, "5 advocati et ceteri potiores terre Thetmercie." In 1329 mention is made of seventy chosen, called "Potiores terræ et rectores politiæ." In Meldorp, the ancient capital of the country, we read in early times, "Wo Vögte, Ritter und die Aeltesten aus den Kirchspielen." The Lands Aeltesten were the natural heads of the different Geschlechts or races, who rose to the condition of *Ritter* or *milites* about the year 1300 without any rivalry, and who sat as counsellors (Rathgeber)

[a] See his very able work on the Mark, Hof, Dorf, and Stadt Verfassung; Munich, 1854: also, a Treatise on the Holsteinische Adel, by Professor Nitsch, of Kiel.

with the Geschwornen of the different parishes (Neocorus, ii. 533), reminding us of the "Seniores plebis meæ," with whose consent and counsel Ecgberht, king of Wessex, acted.[a] In the year 1409 we read, "Wi Vogede, Slüter, Sworen, und ganze Meenheit des Landes to Detmerschen."

Up to this period each parish had been in effect a kind of separate republic, and had occasionally made separate treaties with foreigners, which were sealed with the parish seal; but in the year 1434 eight of the northern parishes, joined by two head men of Geschlechts, being weary of a wild independence, made a treaty with the Hamburghers, in order to give security to the Hamburgh ships in the Elbe and on the coast. In order to arrange this treaty it was found necessary for several brothers of the Franciscan Order of St. Mary Magdalene at Hamburgh to travel amongst the "Wild Ditmarshers," as they were called. The parties agreed amongst themselves to pay 100 marks Lübisch for every *Landsmann* slain on either side, and half of that sum for every German *Knecht*. Feeling the want of some central authority to enforce the laws, the senates of Hamburgh, Lübeck, and Lüneberg succeeded, after pressing representations, in bringing about an alteration in the Ditmarsh constitution. In consequence, shortly afterwards a new body for the first time appeared, called "The Eight-and-Forty," presided over by a chancellor, chosen from the clergy for life. Each parish elected two of these representatives, and in some cases three were returned by two small parishes. They formed, with the Vögte, a superior court, to whom an appeal lay from the Kerk and Bauer Nemedes; from whose sentence again an appeal only lay to the whole body of the Vögte, Nemedes, and Schlüter of the country, assembled in their Thing (communi placito), together with the peasants, and they met twice in the year.[b] The range of jurisdiction, however, of the Eight-and-Forty had its limit: criminal and ecclesiastical matters did not concern it. In ordinary cases a college of twelve of their number acted, and a majority of two-thirds decided. In earlier times this complex system did not exist, and the old capital, Meldorp, retained to the last its original constitution.

A striking feature in the history of Ditmarsh during the Mark Confederation is the spirit of perfect equality and independence which pervaded the whole community, at least up to the close of the twelfth century. Each Geschlecht, or *Bund* of perhaps 200 families, had its natural elder or head; and there was evidently

[a] See Codex Dipl. No. 232.

[b] The place of the national assembly was in open air on the heath, where afterwards the town of Heide was built. All questions of peace or war, and important changes in the laws were decided in this assembly. In like manner Ecgberht of Wessex made his grants, "Cum licencia et consensu totius nostræ gentis."—Cod. Dipl. No. 236.

some jurisdiction exercised over the members, as the family was responsible for their conduct.[a] As possessors of a stake in the soil, the Ditmarshers called themselves "Edel-lude" and "Gude-men" (Neocorus, i. 496, 649), and their stake in the land their *Fried* (German, Freud, *joy*), a term possibly perpetuated in our expression free-land. It was also called their Feld-mark, or simply their Mark.[b] No bearing can be more manly and independent than that of the Ditmarsher of the sixteenth century, as portrayed by Neocorus, with his heavy war-axe in his hand, and his long *poke* or dagger at his girdle, reminding us of our own bold yeomen of the same period. A marked spirit of kindness, a promise of mutual help in sickness and misfortune, was also observable. Widows, *Wet-fru* (*wet*, the pret. of *wissen*, to know), were to be assisted, the land of the sick was to be ploughed by their neighbours, and their teams to be sent to their aid. Everybody throughout the whole land was free to employ himself on his own account for three days in the week, viz. from sunrise on Saturday to sunrise on Tuesday.[c] Their desire was, "God to honour, and our own *Namakelinge* (probably kin) to better.[d] Although land descended to the "sword side," instead of the "spindle side," yet careful provision was made for the females. A boy became his own guardian at 11 years and 6 months, at 14 he bore arms, and at 18 he was eligible to act as a juror. Their extant Land Rights do not date earlier than 1447, and they resemble the Frisian, Electoral, and Hanseatic Land Rights of the Baron Van Richthofen's Collection, and the Old Schleswig Rights, published in Kosensiege's Leges Danicæ.[e] The free Ditmarsher would be judged by his own people, and not by regents—by men of his own standing, and not of a higher class. Their judgment by Nemedes approximates in its principles nearer to our English system than any other northern code. Their *Geschwornen* were not merely witnesses of the fact, but judges of the case. Their deposition had the strength of an averment; the presiding Schlüter himself could not convict, if the defendant denied

[a] When a stranger was admitted into a Geschlecht, he agreed "to stand by," or be judged by, six men out of his Klüft, or division of the Geschlecht. Compare the following extract from a Coroner's Roll, 23d Edw. I. "They say they are not guilty, and place themselves upon 12 sworn men." (Norfolk Archæol. Soc. iv. 244.)

[b] "So belake ik Grete Rymern Wedder myne Marke und alle mine Acker." "Alle unsere Meneweide oder Marke van Grasinge, Heyde und Mohr."—Bequests, anno 1496, Michelsen, Alt-Dithm. Rechtsquellen, p. 335.

[c] Right of 1447, section 87.

[d] There is only a very short Glossary of this dialect. The quotation is taken from a "Bundeniss" in Neocorus.

[e] Neither the Roman and Canonical Rights, or the Saxon *Lage*, or the Satute of Lubeck were incorporated into their code.

with a Nemede or jury. Their code gave great advantages to the defendant. An acquittal was given on the oath of the defendant alone, unless the crime were notorious. In Ditmarsh the defendant could demand an investigation before a Nemede, even if the plaintiff had brought forward the evidence of witnesses, an indulgence of which perhaps the Ditmarshers alone can give an example. In some cases the defendant might justify his denial by a Nemede chosen from his own Geschlecht; a right of challenge, with certain limitations, was allowed in other cases. The defendant had a right of appeal to the Eight-and-Forty; and, in extreme cases, to the judgment of God, before the whole assembled nation. Lastly, after 1538, almost all offences might be expiated by a Wehrgeld, or fine; but in 1554 it was decided, after much opposition, to punish homicide with the sword.

The judgments of God, and particularly that of bearing the heated iron, were retained in spite of Papal prohibition.[a] The number of the sacramentales differed from that of the northern nations. In cases of trifling importance, such as debts not exceeding a mark, and disputes about flour at a mill, the Nemede consisted of two, besides the defendant, "*selb dritter*." The usual Nemede consisted of nine, and the defendant: of these five only could be challenged. The more solemn Nemede was twelve. There was also the "manifold Nemede," or *Vullede*, of thirty,[b] through whom the complainant must convict of a murder, if the accusation were unsupported by proof. The Nemedes were also chosen according to the circumstances of the case; in heavy cases from the Kerk Nemede, in others from the Bauern, the Geschlecht, the Klüft (a division of the Geschlecht), or the Sibblod, the nearest relatives. When cattle were stolen, exculpation was allowed by a Nemede of neighbours or inmates of the house. The Nemede of the Sibblod led to abuses, for the abolition of which the clergy petitioned to the Eight-and-Forty. The abolition was effected about 1530, but it was accompanied by this restriction, that any one might exculpate himself by eleven irreproachable men possessed of a given amount of property. In all cases a majority of two-thirds decided. In the parochial and other large assemblies the parties divided themselves into three parts, called *Eggen*, and the voice of any of two of these convicted. The rule of the country was that of the *zweiter Mann*, the τὰ δύο μέρη of

[a] The people of Prague, in Bohemia, appear also to have retained this right, for the small iron grate which held the fire in which the finger of the party on trial was put, still remains in the wall of one of the chapels of the cathedral of that interesting city.

[b] The Lord Warden of the Tinners, in Cornwall, empanels a jury of twenty-four in important cases. Seaford and other chartered boroughs had also juries of twenty-four.

Thucydides. Before quitting this part of the subject, it may be asked, Whether the judgment of the "Twelve Eyere" in the Jutlandish *Low Buch* did not give at least the name to our own Judges in Eyre?

Incorporated with the mark system was the ancient division of the lands into the hide and yard. The hide was called Hufe in Ditmarsh. It no longer exists there, but it exists in Angeln, and it existed in Ditmarsh as late as the first half of the thirteenth century, and probably later. From the Jutes, Bonnycastle derived the rule known to all school-boys, that three barley-corns, "hard and round," make one inch, barley being their staple bread-corn. But Bonnycastle stopped where he might have proceeded. He did not go on to say, as the Jutes did, that four yards (of sixty-four acres each in later times) make one hide of land. "Item. Quatuor virgæ terræ faciunt hydam." The English yard is derived either from the Norwegian *jaurd*, or the Jutish *jordh*. Odhals-iaurd, in Norwegian, are the ground-pieces or the sites of the village of the Adhalsmann. (Maurer, on the Mark, Hof, &c. pp. 12, 13.) A "fyeringe jordh göre en otting jordh" is mentioned in a Codex of the Leges Juticæ, quoted by Langebek, Scriptores Rerum Danicarum, vol. vii. In Ditmarsh King Waldemar II. bought of the Abbot of Bremen, in the year 1217, *in communi placito*, and therefore with the consent of the people, "ii. hovæ et dimidium, et dimidium jarde." Also in Ulversum, now Weldersum, "v. hovæ excepto uno jardæ." Hova is the same as *huba*, the Danish *hufe*, the Anglo-Saxon *hiwisc*, the Icelandic *bol*, the English *hide*.[b] It is now well understood that the hide, or rather the yard, of land in early times consisted of a house and homestead, a varying quantity of arable land in the common fields, according to the nature of the soil, subject to the invariable three-course cultivation (winterfield, summerfield, and fallow), with the right of the proportionate use of the commons, meadows, pastures, woods, and waters of the community. Maurer and Waitz have fully and ably explained this, and have given examples from numerous nationalities. It does not follow that each yard-land had its separate owner; as many as four families have subsisted on a yard-land in modern times, and Maurer considers that a very few acres formerly sufficed for a family. So also Lèo, Rect. Sing. Person.

[a] See the *Erdbuch* of King Waldemar II. in Langebek. This ancient geometrical measure was introduced by the Danes into Normandy in the tenth century; witness an entry in the Register of the Abbey of Gisors, "Antiquo fune geometricali Francorum et Danorum metito collimitat."

[b] See a Treatise by Waitz, Uber die Altdeutsche Hufe, in the Proceedings of the Royal Society of Science at Gottingen, vol. vi. anno 1853-5. Also Haxthausen, Uber die Paderbornische Hufe.

The system of apportioning lands in the common fields annually by lot was carried by the Romans into England, Gaul, and Spain. We have records of the use of the Roman *sors* not only in the apportionment of lands in Anglo-Saxon England, but in our judicial proceedings, as was also customary amongst the Frisians in cases of homicide in the eighth century. Two twigs of withy enveloped in wool were placed on the altar, or over relics; if a priest for the accused drew the twig with a + he was innocent. Permission for its continuance was reluctantly given by the Popes, on the ground of ancient custom. The following quotation is worthy of attention, not only as proof of the use of the lot, but also of the *signum*, which will be hereafter referred to: "Tunc unusquisque illorum septem faciat suam sortem, id est tenum de virgâ, et signet *signo suo*." (Lex Frisonum, tit. 14, sec. 1.) Beda speaks of the "hluton mid tánum," also "se tán ätwyde;" and Aelfric's Glossary gives *sortilegium* for hlýta.[a] The phrases "scot and lot," in England, and "lot, cut, or cavil," in Scotland, attest the custom.[b] The latter is found in King David the First's time, anno 1154; and that excellent antiquary, Sir Walter Scott, explained *cavil* as a share. In the Old Swedish laws, "Skipta med *lut oc kafle*," says Ihre, "est tactu bacilli et sortitione hereditatem dividere." (Dict., Suio-Goth. voce Kafle.) Los and kavel are identical in Sclavonian, and kawal in Polish means the same.[c] In Vols. XXXIII. and XXXV. of the Archæologia will be found an example of the hide and yard of land in Oxfordshire, as it existed in the year 1854, and an account of the manner of the annual division of the common meadows by lot; and the reader cannot fail to notice the Court of the Sixteens, chosen, as in Ditmarsh, from the most influential of the yeomen. There can be but little doubt that this was originally a part of the old mark system.[d] Kemble has recorded his conviction that we formerly possessed

[a] In the translation of Matt. xxvii. 35, and John xix. 24, tán stands for *loos*. Tán is the mediæval Lat. *tenus*, a twig, the *tenis* of the Lex Frisonum, Dutch and Swedish *teen*, Gothic *tains*, Old Norse *teinn*, High Germ. *zein*, *zain*, *zen*. The modern Germ. *los*, Ditmarsh *loos*, from an extinct verb *liessen*, A.S. *hleótan*, præt. *hleát*, pl. *hluton*.—Homeyer, on the Germ. Lot, in the Transactions of the Berlin Acad. Dec. 1853. "They let among themselves the twig (tán) decide which of them first should for a supply of food his life give up."—Vercelli Codex, quoted by Kemble, Archæol. xxviii. 332.

[b] Skot is a Danish word, signifying *refugium*, *jaculum*.—Langebek, Scrip. Rer. Dan. Ihre calls Skott, *collatio*, pensio quod a plurimis in publicum confertur, and with us it was a synonym for a reckoning; but *Scotatio*, in the Danish laws of the thirteenth century, was the act of admission to an estate by a clod thrown into the hands of witnesses for the purchaser.—See Michelsen's Festuca Notata. In important cases the livery and seisin of land by "turf and twig" is still customary in Schleswic, as in England.

[c] Dr. Hanus on Sclavonian Runes, 18th No. of the "Archiv" of the Imperial Austrian Academy of Science, p. 39.

[d] In the year 1854 the writer exhibited to the Society a bronze javelin-head found on this manor. Pre-

Mark Courts. Thomas Horde, Esq. M.P. for the shire, and lord of the manor, contested the power of the Sixteens in the year 1657, and the case was submitted to that eminent lawyer Sir Orlando Bridgman, who said, "I conceive the custom is good, and the officers lawful officers,"[a] in which opinion Mr. Horde acquiesced, and became himself one of the Sixteens. The custumal of the manor is dated in 1593, and it is expressly declared that the customs existed time out of mind. This circumstance corroborates Kemble's remark, that "the territorial jurisdiction of lords of manors has usurped the place of the old Markmoot, but has not availed entirely to destroy the old mark rights in the various commons." In one respect England has preserved the ancient system longer than Ditmarsh. With us each hide of land elects its separate representative, and there can be but little doubt that the number of sixteen hides was a usual Anglo-Saxon number for a community. The student of the Anglo-Saxon charters will not have failed to remark how generally some multiple of 8 occurs. It is true that after the middle of the fifteenth century the Ditmarshers had their Bauer Nemedes, but originally the distinction of Kerk and Bauer Nemedes was not known. In England, the established courts have deprived the Sixteens of their judicial authority; but their authority in all agricultural matters is, or was very lately, still supreme, and identical with the old Ditmarsh custom. Each country had officers subordinate to the Sixteens, as herdsmen and others, to attend to the gates and hedges, and each had its common bull, &c.

The division of common lands and pastures by lot has fallen into desuetude in Ditmarsh, but it was formerly universal in Germany, and remained in use till the thirteenth and fourteenth centuries. Homeyer gives examples from the Land Rights of Ruga, Friesland, and Bremen.[b] The last known annual apportionment of arable land by lot was on the Rhine. The mode of division by lot in the North of Europe was as follows: Runes were cut on small pieces of wood, each

cisely similar ones were found in Ditmarsh, and are now preserved in the Berlin Museum. They prove the identity of the earlier races. The Anglo-Saxon Cemetery at Brighthampton is in a hamlet of the same parish. A spiral finger-ring in bronze was found there, similar to those found in Ditmarsh. Florence of Worcester (Appendix) describes the South Angles as reaching to Dorchester-on-the-Thames, and the country-people have the Anglian peculiarities of dialect mentioned by Dr. Donaldson in his Cambridge Essays, as *ship* for sheep, *yate* for gate, &c. The Norse or Danish element is also plainly perceptible there. A corner field at Aston is called the hucket; Dan. huk, an angle or corner. It should be borne in mind that this parish is situated on the Thames. The name of Brihtnotus, a celebrated Danish *Dux*, often occurs in connection with lands in the vicinity.

[a] Supplement to Dr. Giles's History of Bampton.

[b] Transactions of the Royal Academy of Berlin, Dec. 1853.

Fig. 1.

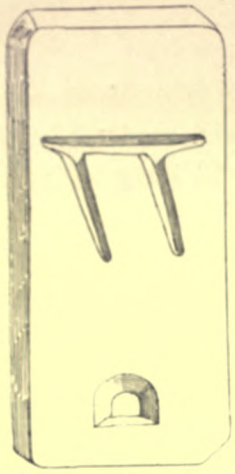


Fig. 2.

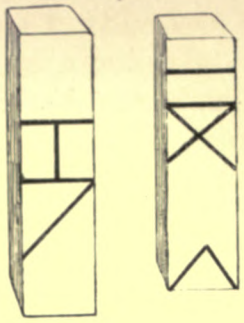
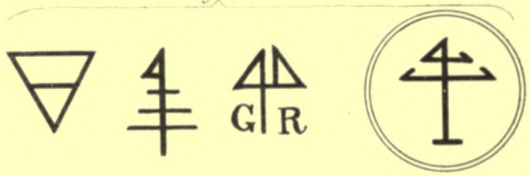


Fig. 3.

Fig. 4.

Fig. 5.

Fig. 6.



HOUSEMARKS OF DITMARSH, THURINGIA & SAXONY.

Fig. 7.

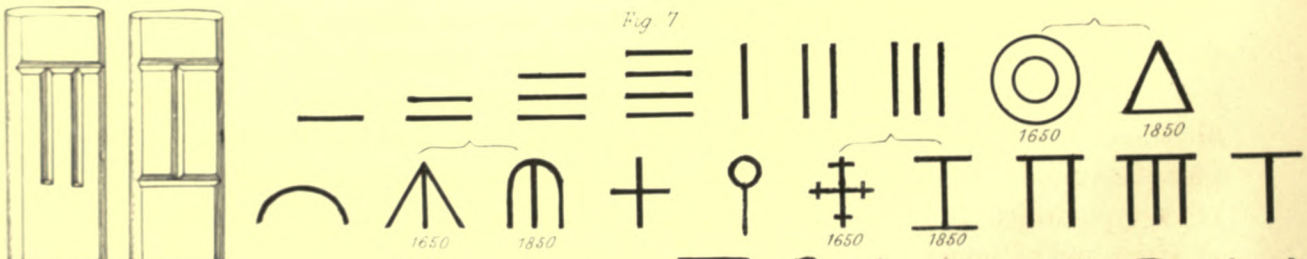


Fig. 8.

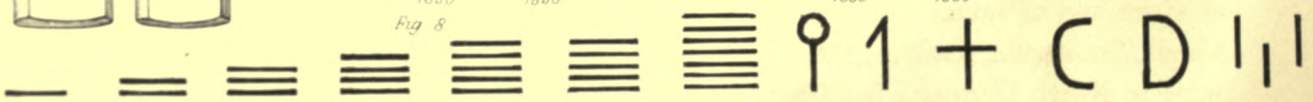


Fig. 9.

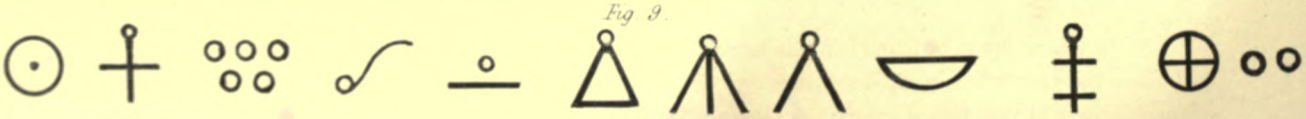
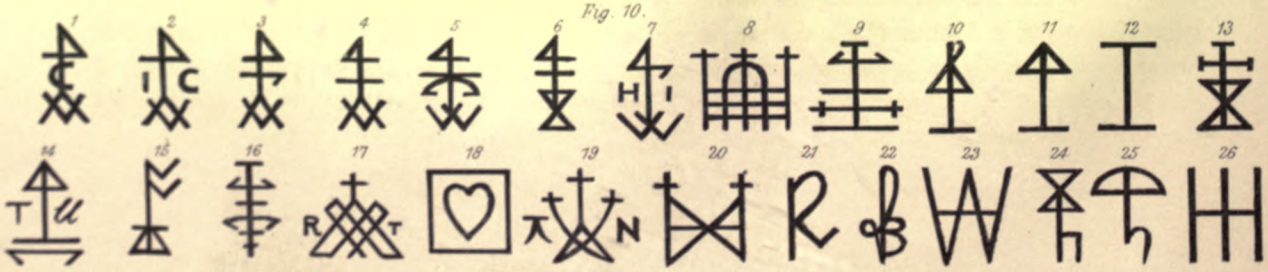


Fig. 10.



ENGLISH MARKS OF LAND AND WOOL-STAPLERS' MARKS.

owner of a hide of land choosing his own. (See Plate X. fig. 2.) These were put into an apron, "the lap," or bag, and drawn in succession, and after the drawing a corresponding *signum* or mark was cut on a small piece of wood about six inches long, and driven into one of the divisions of the ground, symbolising the possession by the *hasta*. A similar mode was used in England for the common meadows, except that the mark was cut out on the turf itself. (See Archæologia, XXXIII. 269, and XXXV. 470, and Sussex Archæol. Coll. iv. 307.) A sketch of three sets of our marks is appended. (Plate X. figs. 7, 8, 9.)

In Vol. XXXIV. of the Archæologia, page 111, we have distinct proof of the annual re-division of the arable lands in the Orkneys by lot in the thirteenth century. It is remarkable that remnants of this system are to be found in our own country to this day, or at least were so until the last three years; and the very numerous small pieces of land, averaging perhaps a third of an acre, into which the common fields of the yard-lands of Oxfordshire, Somersetshire, and Wiltshire, and no doubt of other counties, are divided, each being now a distinct property, is probably a consequence in part of their former annual distribution, and of the apportionment of newly broken-up ground, when an increased population made it necessary. Homeyer relates, that at the islet of Hiddensee, off the island of Rugen, whenever there is occasion, small pieces of wood, on which the housemarks are cut, are thrown into a box, and drawn in lot. As might have been expected, marks were known to the Slavonians, in proof of which Dr. Hanus adduces the following quotation from a Pomeranian document of the year 1174: "In quandam quercum cruce signatum quod signum dicitur, Slavice *knezegranica*." (18th No. "Archiv" Imp. Austrian Acad. Science, p. 43.)

Professor Michelsen traces these marks to a pre-historic period. In Southern Ditmarsh a stone slab of the sepulchral chamber in one of the hunengräbe, or gigantic tumuli of the stone period, has been found, rudely engraved with a mark of a type which is still popular. (Plate X. Example 1 in fig. 4.) Weapons of stone and of metal are also found thus marked. This system—referred to by Virgil, Columella, Tacitus, the Lex Salica, and possibly the Sacred Scriptures[a]—came to North Germany from Scandinavia. Marks have been found on Urgräber,

[a] The quotations are to be found in Michelsen's copious treatise, entitled Die Hausemarke, Jena, 1853, p. 14; that from the Lex Salica, x. 2, is remarkable, "Si quis animal in furtum *pinxerit*," *i.e.* shall mark, writing being unknown at that period among the Goths. W. Grimm is undecided as to whether the *nota impressa* on the lot-sticks of Tacitus (De morib. Germ. cap. 10) were marks or runes. In Homer each marks his own lot, generally on a potsherd, and the lots are thrown into a helmet: the first which leapt out was the winning lot. Compare the χάραγμα of Revelations, xiii. 17, with Ezekiel, ix. 4, and with the quotation in Archæol. xxviii. 329.

in the south of Sweden, and the north of Europe. They were in common use in Norway, Sweden, Iceland, and Denmark in the twelfth and thirteenth centuries; and the Icelandic Gragas, in particular, contain numerous minute regulations as to the adoption and the use of marks for sheep, house-cattle, eider-ducks, harpoons, &c. They are also mentioned in the Old Norse and Swedish Rights. In Iceland all cattle, except horses, were to be marked "when eight weeks of summer were past," under a fine, and the mark was to be cut on the ear of the animal. Marks were not to be taken arbitrarily, but the owner's intention was to be announced before five neighbours, and also at the Spring *Thing*. Any one falsifying a mark was to be driven away from his land. Cattle not marked might be seized, and so on. The Danish laws made it obligatory upon those who could not write to affix their *bomærke* (housemark); and the Prussian required a mark or a cross. The probable reason why the cross was always used in the middle ages in the testing of ecclesiastical charters was not only that it was a sacred symbol, that Justinian had decreed it should have the strength of an oath.

In England individual marks were in use from the fourteenth to the middle of the seventeenth centuries, probably much earlier; and when a yeoman affixed his mark to a deed he drew a *signum* well known to his neighbours, by which his land, his cattle, and sheep, his agricultural implements, and even his ducks were identified. In the twenty-fifth year of Queen Elizabeth a jury at Seaford, in Sussex, presented John Comber "for markying of thre ducks of Edwd Warwickes and two ducks of Symon Brighte with his owne marke, and cutting owt of theire markes." Cows and oxen were marked on the near horn. (Sussex Archæol. Coll. vii. 103.) When cattle in bodies of many hundreds ranged over extensive commons, as was formerly the case, the use of marks for identification was more indispensable than at present. Our swans retain their marks to the present day. In Ditmarsh and Denmark the owner's mark was cut in stone over the principal door of the house; it designated not only his land and cattle, but his stall in the church, and his grave when he was no more. At Witney, Oxon, a woolstapler's mark may be seen so engraved on a house, with the date 1564, and numerous merchants' marks at Norwich and Yarmouth. In Holstein, within the memory of man, the beams of the cottages of the bondservants were incised with the marks of their masters. A pastor, writing from Angeln, says, "The hides had their marks, which served instead of the names of their owners." In the island of Föhr, a little to the north of Ditmarsh, the mark cut on a wooden ticket is always sold with the house, and it is cut in stone over the door, and the same custom is still in use in Schleswig and Holstein. A drawing of the ticket is appended. (Plate X.

fig. 1.)[a] In the Tyrolese Alps, at the present day, the cattle that are driven out to pasturage are marked on the horn with the mark of their owner's land. Marks for cattle are also used in Switzerland, in the Bavarian Alps, and in some parts of Austria.

These house-marks were connected with merchants' and tradesmen's marks, and also with stonemasons' marks, all of which formed a lower kind of heraldry for those not entitled to the bearings of the noble, for on old houses at Erfurt double shields with the marks of the families of husband and wife are found. (See fig. 5.) Instances are recorded, both in Schleswig and England, of families who became ennobled retaining their hereditary mark with their coat of arms. (See Norfolk Archæol. Soc. vol. iii. p. 180, and Michelsen.) Through the kindness of R. Cole, Esq. F.S.A. I am enabled to give a drawing of a number of English woolstaplers' marks, taken from the notarial protests made for the purchasers at Antwerp, to London merchants, on account of some fault in the goods or short measure. They all date from 1559 to 1564, and they bear a marked resemblance in character to the Marcomannic runes in figures 1 and 2 of plate xv. of Vol. XXVIII. of the Archæologia; and some of them are identical, or nearly so, with the Ditmarsh housemarks. Possibly some of them were brought to England by the Flemings during the persecution under Charles V. Many of the marks found on old pictures are true housemarks, and not alphabetic monograms. A painting by Wouverman or Lingelbach, in the writer's possession, bears the mark known as the crane's foot. (Fig. 7, Ex. 10.) The rise of armorial bearings is highly worthy of study, for Michelsen considers them to have been originally little more than decorated marks, and to have been engrafted as it were upon the system; indeed, he asserts that the arms of Pope Hadrian VI., a Netherlander, were formed from housemarks.[b] Some knightly families in Schleswig still retain their housemarks as their coat-of-arms, as, for instance, the Von Gegerns, who bear the second example in fig. 4, Plate X.; the Von Sesserns, in the year 1548, bore the like kettle-hanger or pot-hook, and the same mark occurred on their family tomb, anno 1309. The earliest marks were supposed to represent the most indispensable agricultural implements, as a spade, a plough, a scythe, a sickle, a dung-hook, the tynes of a harrow, also anchors, stars, &c. It should also be remembered that there was often a supposed connection between the figurative name of a house and its owner's mark, which was a representation of the object more or less exact. Michelsen considers that the names and signs of inns are but remnants of the

[a] Transactions of the Royal Academy of Berlin, Dec. 1853, p. 747.

[b] Michelsen, p. 54. See Lersner's Frankfort Chron. No. 98, the shield of Stephan v. Cronstett; also No. 134.

once universal and necessary custom of giving figurative names to houses, which the modern numbers have superseded. Tradesmen's signs are thus but a pictorial substitute for the housemark. Pauli considers that the names of citizens, if names of animals, originated in the names of their houses, although this opinion seems at least a questionable one. The towns of Lubeck and Jena and the land of Ditmarsh had their marks as well as their arms, and even churches, as Erfurt. (See figs. 5 and 6.) The mark of the latter was doubtless that of the church lands, and was distinct from the mark of the builder of the church. The mark of the land of Ditmarsh was a scythe.

Marks were also used instead of the names of parties as a signature to records, both in Ditmarsh and on the continent, and also on seals; and they are so used in Switzerland to the present day;[a] but, as the establishment of the order of knighthood in the twelfth and thirteenth centuries gave the first blow to the universal use of marks, so the fashion that prevailed in Ditmarsh amongst the free country people and those eligible for the town council in the sixteenth century, of adopting armorial bearings, caused the use of marks to be gradually relinquished, although they were still retained for the land, and were even used with the newer arms.

The earliest marks, according to Michelsen, were runes and rectilinear, and they were consequently more easily cut both on wood and on the ears of the animal. Dr. Hanus, who has well studied all that has been previously written on runes, observes that marks were mere arbitrary signs, objects for remembrance, whilst runes were pictures of objects; yet that "the essential difference there is between marks and runes does not prevent many marks being similar to runic signs, for, as in course of time simple marks arose out of runic configurations (which were originally representations of the figures made by the fortuitous casting of the wooden lot-sticks on a white cloth), so the simple strokes of marks must naturally resemble the simple strokes of runes." The Doctor quotes a monk named Chabr, who wrote anno 982, that, as the Slaves were yet heathens, they had no letters, but they counted by strokes, and they divined by cuts (or, as the Doctor reads, by runes). Dr. Hanus supposes that their marks on graves might have had a mystical import, were possibly holy numbers, protective signs, by which they sought to recommend the ashes of the dead to the care of the tutelar deity. The

[a] For examples of yeomen's marks in England in the sixteenth century, see Sussex Archæol. Collections, vol. vii. p. 149. The Inquisitions post mortem, from Henry VII. to Charles II. abound with yeomen's marks as signatures, other than crosses. The writer has a deed of the time of Charles II. with at least twenty of such marks.

sign 4 is the base of the earliest known mark, and occurs on a heathen grave. (See Plate X. fig. 4, Example 1.) Its import is most obscure. It is nearly the *resch* of the Phœnician alphabet; and its name appears in *ruci* of the Slavonian alphabet, in *reci* of the Bulgarian, and in the northern rune *reda*, *raida* (wagon). (Hanus, op. cit. p. 96.) Reversed it occurs in company with the arms of the family of Kymble, or Kemble, at Lambourn, Berks, and was probably their mark. It is to be noted that it included the cross.

The similarity of most of our English marks with those of Ditmarsh, and more particularly with the old Welsh Stick Books, is apparent on comparison. It may be permitted to point to the circumstance, that many of our English landmarks, as well as the private marks of our yeomen, are also to be found in the Etruscan, Greek, and some Eastern alphabets.[a] The names given to the English landmarks have been different at different times and in different counties. They evidently expressed the idea that was uppermost in the minds of our yeomen. For example, the mark formerly called in Oxfordshire the *peel*, was latterly called the *frying-pan;* and in Sussex the *doter* (qy. *dochter* of Ditmarsh). In Sussex it is represented by a short stick with a wooden knob. The word *peel*, or *poel*, in Ditmarsh signified the band of gilt leather which adorned a maiden's head; and it should be remembered that the mark of two concentric circles was called the *priest*. This mark is also found on the Staffordshire Clog Almanacks.

The rune is called *ethel*, and in Slavonian *father;* and there is a northern rune, *björk*, which is the symbol of woman.

On Plate X. are represented—

Fig. 1.—The wooden ticket from the island of Föhr.

Fig. 2.—Early runes cut on small pieces of wood, used for drawing lots for land. (Homeyer.)

Fig. 3.—An ancient seal of the town of Swenborgh, in Funen, with the seven stars of Woden's wain, from Michelsen's Nordfriesland im Mittelalter. HÆRET is derived from *hær* exercitus, and *od* proprietas, and answers to *gau*, pagus. (Langebek.)

[a] All alphabets, remarks J. Grimm (Vienna Yahr-buch for 1828, s. 41), the Hebrew, Greek, Runic, Slavonian, and Irish, borrow, in part, characters and names from one another. "Every original tradition we Anglo-Saxons cherish is but a ray of morning light, flitting though it be, projected from the aurora of our Eastern homes."—Types of Mankind, by Dr. Nott and others, p. 468.

Fig. 4.—Housemarks from Ditmarsh, selected from the examples given by Michelsen on Housemarks, and also from Neocorus.

Fig. 5.—Housemarks from Erfurt: the second, over the main entrance of St. Michael's church; the third and fourth, coats of husband and wife.

Fig. 6.—1. The housemark of the town of Lubeck; 2 and 3. Housemarks from Freiberg, in Saxony; 4. Merchant's seal from Jena.

Fig. 7.—Sixteen marks of hides in the township of Aston and Cote, Oxon. with two examples of the actual lot-marks cut in dog-wood (*cornus sanguineus*). They are known by the following names:—The one thwart over; the two, three, and four thwart over; the one on right, the two and three on right, the priest, the bow, the crane's foot, the cross, the peel, the reel, the two on right and one at head, the three on right and one at head, and the headless.[a]

Fig. 8.—The marks of fourteen hides at Southease, Sussex: the one score, the two up to seven score, the doter, the dung-hook, the cross, the two C's, the D, and the drinker.

Fig. 9.—Allotment-marks of the commonable land in the Dolmoor, appertaining to the parishes of Congresbury and Puxton, Somerset, called the duck's-nest, the cross, four oxen and a mare, the horn, the pole-axe, the (escallop) shell,[b] (the two next unknown,) the oven, the hand-reel, the hare's tail, two pits, and up to seven pits, and three pits "brandy-ways."[c]

[a] The headless, that is apparently the cross without a head, the well-known rune tŷr, tio, zio, *i.e.* God, through the form *tius* in the Sanskrit *djaus*, and the Greek διος, ζευς. Intimately connected with this sign, and, indeed, only modifications of it, are the marks and .—Hanus, op. cit. p. 98.

[b] It is too remarkable to be overlooked, that the marks called the shell and the hand-reel (Ex. 6 and 10) are both late Glagolical letters; connected with the former is the letter and rune which appears in the woolstaplers' marks.—Hanus, pp. 84 *et seq.* The marks called the peel, the duck's-nest, and the mare's-tail are Greek letters; the first two are Etruscan also, as well as symbols of the sun and moon; the oven is one of the earliest known pictorial letters, and looks very Celtic. (Recueil d'Alphabets Orientaux Anciens, Plate viii. Paris, chez T. Barrois, 1784; and Ancient Alphabets translated by Joseph Hammer.) In a communication, with which I have been favoured by Dr. Hanus, he remarks that the connection of our marks with runes is, in his opinion, unquestionable. The Doctor adds, that the Glagolical alphabet was introduced amongst the Slavonians by St. Cyril; the alphabet, called falsely Kyrillican, he attributes to some of the young coadjutors of St. Cyril in the conversion of the Slaves, originating with the Bulgarian Bishop Clemens.

[c] The Brandy-corner-hám is known in the manor of Aston as the inclosure where the cattle were branded. The marks of this county were cut on apples, and drawn from a tub. The last allotment recorded in

Fig. 10.—English woolstaplers' marks of the years 1549—1555. 1. The mark of Thomas Franchsteer. (N.B. This mark is found sculptured in stone over the door of a house on the Green at Witney, Oxon, and the date 1564.) 2. John Collyar; 3. Gilles Johnes; 4. Anthony Watson; 5. Unknown; 6. Roger Smithe; 7. William Huttchinson; 8. Adam Orcharde; 9. John Sellour; 10. Thomas Clairfield; 11. Walter Graunt; 12. John Gren; 13. John Clarke; 14. Thomas Longe; 15. John Giles (?); 16. John Stoemptis; 17. Richard Taylor; 18. Robert Harford; 19. Nicolas Allwayes; 20. Edward Wilkyns; 21. Richard Flettchere; 22. Richard Tailloure; 23. William Dowes; 24. Hugh Davis or Davys; 25. Ditto; 26. Harry Jones. These are very similar in character to the merchant's marks, published in vols. iii. and iv. of the Norfolk Archæological Society.

Professor Michelsen, in his recent treatise entitled Festuca Notata,[a] has shown that the *cultellum*, which was given by the Franks, Goths, and Germans in the ninth and tenth centuries, on the transfer of land, with the *signum* cut on a piece of wood, which was called *festuca notata* in the middle ages, was originally intended for notching the mark on the wood, in the same manner as the inkstand and pen were lifted up with the chart as symbols of a transfer of land. He has given several examples of transfers, "Per festucam notatam, cultellum, wantonem, et wasonem terræ atque ramum arboris." Amongst the archives of Nôtre Dame at Paris is preserved a pointed pocket-knife of the eleventh century, on the ivory handle of which is engraved the record of a gift of land; and at the same place is also preserved a wooden *festuca* of the ninth century, six inches long, and one inch square, attached to a diploma, as was then the custom. A similar knife, with an ivory handle, is still preserved, attached to a charter at Trinity College, Cambridge. Sir Henry Ellis has given several other instances in a Paper in Vol. XVII. of the Archæologia, as also instances of seisin *per baculum*, and *per fustem et baculum*. In Madox's Formulare Anglicanum, p. x. will be found the grant and release of a church to the Abbot of Thorney, *per quandam virgam*. G. R. Corner, Esq. F.S.A. has also given several examples of seisin *per cultellum*

the parish deeds was in 1794. At the allotment there was a revel. The latter-math of four acres was sold to pay the expenses for a sack of malt (to brew half a hogshead of beer), also some bread and cheese, butter, pipes, and tobacco. Two inches of candle were also provided, during the burning of which the grass was sold. If any person attempted to light his pipe at this candle he was fined one shilling. The fine of a tun of Hamburgh beer occurs frequently in the Rights of Lunden, in Ditmarsh, and the price of country-brewed beer was fixed by statute at 12*s*. the tun.

[a] Ueber die Festuca Notata, und die Germanische Traditions-symbolik. Jena, 1856.

in a paper in vol. vii. of the Sussex Archæological Collections, p. 213. The surrender of copyholds by the rod or glove, and occasionally by a straw or rush, (whence the word stipulation, from *stipula*, straw), is well known in England; and in the manor of Paris Garden, Surrey, an ebony rod is preserved, with a silver head, on which are engraved the royal arms, with E. R. and a crown, and an inscription, purporting that it is kept for the surrender of copyholds of the manor. (Watkins on Copyholds, ii. 544, 566.) The inscribed sticks mentioned in Ezekiel xxxvii. 16, appear to relate to this ancient mode of conveyancing.

A note on the Old Saxon style of the Ditmarsh houses shall close this Paper. They are built with a high, acute, angular, thatched roof, resting on rectangular walls, for the most part not six feet high. The gables are oblique at both ends, and are also thatched with straw; but in the east end an opening is left sufficiently large to admit a loaded cart. Above this are the beams and rafters, which run right through the house, generally inclosing the barn, *de grotdel*, and the stalls for cattle, *de boosum affit*, under the same roof. Then, in the back part of the house, towards the south, is the kitchen with the back-door, and the sitting-room with a chamber, and finally the great door, opening in to another sitting-room, called the *piesel* or *pesel*, which seldom has any other outlet. The old dwellings, without chimneys or kitchens, with the hearth opposite the great door, have mostly disappeared from the Geest. (Müllenhoff, Preface to *Quickborn*.) Compare a more detailed account by Dr. Leo in Roumer's Taschenbuch for 1835.

Believe me, my dear Admiral,

Yours very truly,

B. WILLIAMS.

Rear-Admiral W. H. Smyth,
F.R.S., F.S.A., &c.

MARK OF ETON COLLEGE,
Made in nail-heads on some of the doors,
and now used as a Swan-mark.

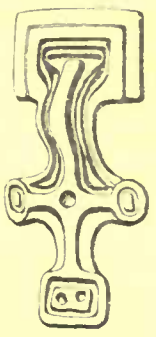
XXIV. *Report of Researches in a Cemetery of the Anglo-Saxon Period at Brighthampton, co. Oxford; in a Letter addressed to the Right Hon. the* Earl Stanhope, *F.R.S., President, by* John Yonge Akerman, *F.S.A., Secretary.*

Read 19 Nov. 1857.

My Lord,

While engaged in my recent perambulation of the forest of Wychwood, I paid a visit to Stanlake, near Witney, the scene of Mr. Stone's researches, communicated by that gentleman to the Society in the last session. On that occasion Mr. Stone informed me of the discovery of Anglo-Saxon remains in the adjoining village of Brighthampton. His account is as follows:—

"On the 24th June, 1857, as some workmen were employed on the site of the old malthouse at Brighthampton, which has been recently removed, they discovered, immediately beneath the floor, a grave containing the remains of a child, lying east and west, the head to the west. There were found with the remains beads of amber and of glass, a small brass-bound bucket, the staves of which, being of wood, had perished, a small knife, a pair of fibulæ of bronze gilt, and some unknown fragments in bronze." The hoops, &c., of the bucket were unfortunately broken up, but have been ingeniously restored by the Rev. J. Slatter, who has made the sketch of it now exhibited.



FIBULA, ACTUAL SIZE.

It will be seen that it very closely resembles the examples discovered in the cemeteries of Fairford, Wilbraham, Linton Heath, and other localities. I have already observed, in opposition to the opinion that they were used simply for wine and other drinks, that they are found in the graves of both sexes. Here is one from the grave of a female child, too young to have joined in the revels of the mead-hall. These vessels appear to have been used for spoon-meats, and are probably examples of the "sop-cup" mentioned in the will of Queen Ælfgyfu in the year 1012.[a]

[a] Codex Dipl. Ævi Saxon. vol. iii. p. 360. See also the Will of Wynflæd, about 995, in the same collection, vol. vi. p. 30, where mention is made of "twâ treôwanan gesplottude cuppan."

Brighthampton, in old records Brighthelm'eton and Brighthelminton,[a] both genitive forms (*i. e.* Brighthelmestun, the tun[b] or homestead of Brighthelm),

[a] Rotuli Hundr. vol. ii. p. 701.

[b] The word *Tun* is so often improperly rendered *Town*, that a few words on its real signification may not be out of place here. Mr. Thorpe, in the valuable glossary appended to his justly esteemed collection of the "Ancient Laws and Institutes of England," thus defines the meaning of the word as it is found in Anglo-Saxon writings :—

"Tūn, Villa : Originally a plot of ground inclosed with a hedge. German, 'zaun.' It came afterwards to signify a dwelling with the land inclosed about it ; then many dwellings within the inclosure, till it became what we now denominate a town."

Mr. Kemble, however, (see the Glossary prefixed to the third vol. of the Codex Dipl. Ævi Sax.) observes that the German "zaun," a *hedge*, is not to be interpreted in the same sense with us, *tun* signifying "not so much that which surrounds as that which is surrounded; not the hedge, but that which is inclosed by the hedge." Tun is the termination of numerous places in England which have never risen to the dignity of towns. It was in fact the designation of an inclosed space, as Bere-tun, *i. e.* the Barton or Barley-yard ; Sceap-tun, a Sheep-fold, &c. Whenever the word occurs in our earliest authorities, it is desirable to ascertain what description of tun or inclosure is intended, for it has obviously a more limited meaning in some cases than in others. When compounded, as in *garstun* (A. S. ȝæɲɾ-ꞇūn), we know it signifies a small inclosure of grass-land, a paddock. The word still exists in a corrupted form in the south and west of England, as *garson* and *gasson*. Gars*den*, with which it is often confounded, I take to mean a portion of meadow-land in a valley. Coney Garston is a rabbit-warren.

That tun in its primitive meaning was not so comprehensive, and did not signify Town, we may infer from many passages in Anglo-Saxon authorities. If we turn to the Holy Gospels in that language we rarely find the Greek κώμη rendered by tun, but instead of it *castel*, *ceastre*, *burg*, or *wic*. I give the examples :—

Matt.	ix. 35.	burga and ceastra.	Luke	ix. 6.	þære ceastre.
„	x. 11.	burh oððe ceastre.	„	ix. 12.	castelu and on þas tunas.
„	xiv. 15.	burga.	„	ix. 52.	a ceastre.
„	xxi. 2.	castel.	„	ix. 56.	castel.
Mark	vi. 6.	castel.	„	x. 38.	sum castel.
„	vi. 36.	tunas.	„	xiii. 22.	ceastra and castelu.
„	vi. 56.	wic oððe on túnas.	„	xvii. 12.	sum castel.
„	viii. 23.	butan wíc.	„	xix. 30.	castel.
„	viii. 26.	on tún gá.	„	xxiv. 13.	castel.
„	viii. 27.	þæt castel.	„	xxiv. 28.	castel.
„	xi. 2.	tham castelle.	John	vii. 42.	ceastre.
Luke	v. 17.	ælcum castellum.	„	xi. 1.	ceastre.
„	viii. 1.	ða ceastre.	„	xi. 30.	ceastre.

The exceptions occur in Mark vi. 36 and 56, and Luke ix. 12. In the first, ꞇúnas is used in a generic form ; in the second, in a general sense ; and in the third, in the sense in which it occurs in Mark xv. 21, where we find ἐρχόμενον ἀπ' ἀγροῦ, "coming out of the country," rendered cumenðe of þam tune.

"It is very remarkable," observes Mr. Kemble, "that the largest proportion of the names of places among the Anglo-Saxons should have been formed with this word, while upon the continent of Europe it is never used for such a purpose."

though in the parish of Bampton, is four miles distant from that town, and immediately adjoins the village of Stanlake. The base of an ancient stone cross which stands at the intersection of the road to Stanlake is the only object of interest to the antiquary, but of peril to those who ride or drive on dark nights.

The land in which the remains above-described were found is the property of Saint John's College, Oxford, and further researches were made under my direction, the expenses being defrayed by a subscription promoted by the Reverend the President of Trinity College, at whose request I beg to lay the following particulars before your Lordship and the Society.

This cemetery is just without the village, on the left-hand of the road leading to Bampton, and about a mile east of Old Shifford. It was doubtless in old times grass-land, but farmstead buildings now occupy a portion of the site, the rest having been under the plough beyond the memory of man. The ground has on several occasions been dug for gravel, when skeletons, with knives and other evidences of Anglo-Saxon interment, have been found. In one grave a sword is said to have been discovered.

The recent inclosures have, as usual, obliterated many ancient landmarks, and blocked up some roads in this neighbourhood. One of the latter is especially deserving our notice. It ran from Underdownhill, above Stanlake, and passing through the village of Brighthampton, a little distance south of the high road, traversed the site of this ancient cemetery, and proceeded to Old Shifford. It was called the Lapath (A. S. Hlæp-pæð?), and was, in fact, always looked upon as an ancient lichway or burial-road.

The reliques the discovery of which is narrated in the following pages, have been very liberally presented to the Ashmolean Museum by the subscribers, but I am permitted to exhibit them this evening to our Society. I also lay on the table a plan of the relative positions of the different interments, drawn to scale by Mr. Stone, whose courtesy and attention I take this opportunity of acknowledging.

The number of graves discovered on this occasion amounted to fourteen, two of which are remarkable for their double interments. The following are the details:

No. 1. Skeleton of a woman, measuring about 5 feet 4 inches; the head to the south-west. At the left wrist, a small bead of blue glass. Near the left hand, which lay on the breast, five similar beads, and a set of toilet implements. On the breast, a small dish-shaped fibula, a rude example of a type already well known.

No. 2. Male skeleton, lying in the same direction as the former. On the right of the head, the iron cusp of a spear, the sides unequal; and near it a shallow brass-bound vessel, resembling that found at Harnham, but with what appeared

to be an iron handle.[a] In the lap, the guard of a purse, a pair of brass tweezers, and an iron knife. At the feet, the iron spike with which the spear was shod.

No. 3. Skeleton of a young man, measuring 5 feet 7 inches; the head to the south-west. A small knife in the lap. The right hand on the breast, the left in the lap. On the *left* side of the head, just above the shoulder, the iron heads of two small spears.

On digging about two yards south-west of this grave, the workmen uncovered, at about a foot from the surface, an urn of black pottery, containing calcined human bones, and the fragments of a bone comb. At the bottom of the urn, which had evidently been shattered by the plough, lay a mass of fused metal. I shall have occasion to recur to this interment hereafter.

No. 4. Skeleton of a woman, lying with the head to the south-east. A dish-shaped fibula, resembling an example found at Fairford,[b] on each breast, just below the clavicles; the inner surface gilt. The right hand in the lap; the left by the side. An iron knife on the left side.

No. 5. A skeleton which had probably been dislocated by the plough; the head to the north-west. In the lap, to the right, a small knife; to the left, an iron purse-guard.[c]

No. 6. Skeleton of a young man. A knife in the lap, in which lay the right hand; the left lying by the side. In the lap an iron buckle. Between the left arm and the body, the iron umbo of a shield, which had evidently been reversed by the pressure of the superincumbent earth. Thirteen large stones were placed in a heap over the centre of this grave, at about a foot from the surface.

No. 7. Skeleton of a woman, lying west and east. The knees slightly bent to the right. The only relique observed was an iron buckle at the waist, but among the earth immediately above the body was a small brass coin of Postumus.

About six yards from this grave the labourers came upon a small black urn, shattered by the plough, which had probably scattered its contents.

No. 8. Skeleton of a woman. Length about 5 feet; the head lying north-west. The right hand in the lap, the left by the side. No relique.

At a short distance south-west, another urn of black pottery, and without ornament, was found superficially buried, but shattered to fragments, and the calcined human bones which it had contained scattered and dispersed.

[a] Archæologia, vol. XXXV. pl. xix. fig. 7.

[b] Fairford Graves, p. 14. Remains of Pagan Saxondom, pl. xix. fig. 3.

[c] I have described these objects as steels for striking a light, an error which subsequent discoveries enable me to correct.

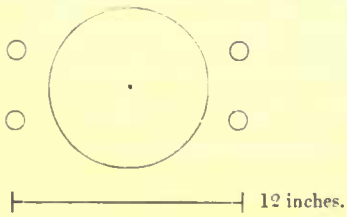
No. 9. The skeletons of two children who had not shed their first molar teeth. The heads lying to the west, and the bodies placed back to back. At the neck of the one which lay on the north side, five small beads of vitrified paste and three coins; one of them of Postumus, the others of Roman emperors of the same age, but with the types nearly obliterated.

No. 10. Skeleton of a woman; the head to the south-west. At the neck thirteen paste beads of different sizes.

No. 11. Adult skeleton; the head to the south-west. No relique. This lay so near the surface, that it had been broken and defaced by the plough.

No. 12. Skeleton of a woman, disturbed by the plough; the head to the south-west. At the neck, beads of amber and paste, a circular fibula, the cavity of which had been filled with some perishable substance, like those found at Fairford[a] and at Broughton Poggs.[b] The head of this skeleton was depressed on the breast, and the right hand placed under the chin; the finger-bones and the right side of the jaw having been stained of a deep green colour by the contact of the fibula.

No. 13. Skeleton of a man, the *head lying due east*, measuring 6 feet 6 inches. A spear-head above the *left* shoulder. The right hand in the lap, in which lay a knife. An iron buckle on the breast. The left arm extended by the side, the hand covered by the iron umbo of a shield. On either side the umbo were two iron studs, about an inch in diameter, just six inches distant from the spike of the umbo, and disposed thus:



On raising the umbo, the fingers of the hand were found within it, the three first encircling the iron bar by which the shield was held.

Beneath this skeleton lay another, the head under the legs of the former, below the knees, the legs extending under his head. The hands lay in the lap, near which were nine amber beads of unusually large size, which had probably formed bracelets. Near the head was a hair-pin of bronze,[c] and on the breast a fibula of the same metal.

[a] Fairford Graves, pl. xix. fig. 2. [b] Archæologia, vol. XXXVII. p. 146, fig. 4.

[c] See my remarks on the significance of the hair-pin in Saxon interments. Proceedings of the Society of Antiquaries, vol. iv. p. 74.

No. 14. Skeleton of a young person, lying with the head to the north-west, but broken and dislocated by the plough. An iron knife in the lap.

The result of these excavations affords a few facts worthy the attentive consideration of the antiquary. The reliques discovered, at least the arms and personal ornaments, do not differ materially in character from those obtained from other cemeteries of the same people, but assimilate very closely to those of the Fairford graves and the objects found at Filkins and at Broughton Poggs. The fibula found in grave No. 1 resembles in style and pattern one found at Harnham, near Salisbury.[a] Other examples have been discovered in the Isle of Wight and in East Kent.[b]

The fibulæ discovered in grave No. 4 bear, as already observed, a pattern very closely resembling that on those found at Fairford, but they are not casts from the same mould.

The coins found with one of the skeletons in grave No. 9 were doubtless the ornaments of a female child, and were, with the beads, suspended from the neck. One of them is of the Emperor Postumus, whose reign in Gaul and Britain extended from A.D. 258 to A.D. 267.

The two examples of cremation discovered in this cemetery are of extreme interest, for instances of this description of sepulture, so far as I can learn, have seldom been remarked in the southern counties of England.

One of the urns is quite plain; but the other is ornamented with a pattern peculiar to the pottery ascribed to the Saxon invaders. The recent remarks of Mr. Kemble have invested this subject with increased interest. His memoir "On Mortuary Urns found at Stade on the Elbe," printed in vol. XXXVI. of the Archæologia, opened a new field of inquiry, and, as he has observed, "we can henceforth use indifferently the discoveries of Englishmen and North Germans for the elucidation of our national treasures."

With regard to the instances of cremation which the researches at Brighthampton have brought to light, I believe we must wait patiently the result of further investigations in that direction before we can safely venture to offer any explanation which can satisfy the antiquary. One of the urns, as already observed, is perfectly plain; but the other is ornamented with a pattern which will be immediately recognised as assimilating to that of the mortuary urns discovered in Norfolk, Suffolk, Nottinghamshire, Cambridgeshire, and

DIAMETER 7¼ INCHES.

[a] Archæologia, vol. XXXV. pl. xii. fig. 3. Pagan Saxondom, pl. xxiv. fig. 3.

[b] Nenia Britannica, pl. ii. fig. 7.

Derbyshire. The fabric is, however, neater, and the body of the urn is marked with perpendicular lines.

Though satisfied that the bones found in the Brighthampton urn were human, I submitted them to Professor Quekett, who confirms my opinion, and informs me that the fragments he has inspected comprise portions of the skull, the tibia, the radius, and the acetabulum of an adult of small stature. I am also indebted to that gentleman for an analysis of the lump of metal found at the bottom of the urn, which proves to be lead. The presence of this lump may I think be accounted for by the supposition that it had formed a fibula, or some description of personal ornament, which being placed in the urn while its contents were yet glowing from recent combustion, had melted and sunk to the bottom.

I can offer no explanation of the double interment in grave No. 13. If we suppose the skeletons thus discovered to be the remains of persons surprised and slain *flagrante delicto*, we cannot reconcile it with the fact that they were consigned to the grave with the usual funereal observances; the male with the proper arms and appointments of a free man of the middle rank—the woman with her characteristic feminine personal ornaments. Be this as it may, their deaths appear to have been synchronous;—the bodies rested on each other, the tibiæ of the male skeleton pressing on the skull of the woman. Could this old spearman[a] have perished in some feud, and had he been voluntarily accompanied to the grave by a devoted wife? The relics discovered with them speak eloquently enough, but there is no voice to tell us of the circumstances of this singular interment[b]

By the kindness of Professor Quekett, I am enabled to state that the remains of

[a] Eald æsc-wiga. Beowulf, 4090.

[b] The skull of the man, and the lower jaw of the woman, have been submitted to Dr. Thurnam, who has favoured me with the following remarks :—

"The skull is that of a man from sixty to seventy years of age. The form is a tolerably regular oval, inclining to the long rather than the short type. The face and jaws are large, the lower jaw in particular unusually long and with a very prominent chin. The lower incisor teeth project considerably in advance of the upper. The crowns of all the teeth are very much worn; the upper incisors down to the very fangs. Two of the upper molars are affected by caries.

"The jaw is that of a person of about sixty-five years of age. Notwithstanding the deep base of the jaw, and the large size of the teeth, it is probably that of a female. Compared with the lower jaw of the other skeleton, the chin is seen to be much more rounded, and the ascending processes much smaller, shorter, and more oblique.

"The eroded state of the teeth, especially the molars, is very marked. They are much encrusted with tartar."

wood found adhering to the studs of the shield discovered in grave No. 13 are *ash*. The fact is worthy of notice, from the circumstance that in the Anglo-Saxon and old high-German poems, the shield is invariably spoken of as formed of the linden or lime tree. Thus in a spell quoted by Kemble,[a] we find :

Stôd under linde
under leôhtum scylde ;

i.e. I stood beneath my linden shield
beneath my light shield.

And in Hildebrandt's "Lied" the combatants are said to have

Hewan harmlico
huitte scilti
unti im iro lintum
luttilo wurtun ;

i.e. Hewed away harmfully
their white shields
until their linden bucklers
became small.

From these passages[b] it appears the lime was the wood of which the shields of people of Teutonic race were usually formed, and the finding the remains of a shield formed of a description of wood differing from that for which they had so evident a predilection, leads to the inference that the lime, as naturalists have supposed, was not then known in this island. Ray could not find this tree growing wild in England; and Evelyn states that in his days it was brought, at great expense, from Flanders and Holland.

I have the honour to be,

My Lord,

Your Lordship's faithful Servant,

J. Y. AKERMAN.

To the Earl Stanhope, Pres. S.A.

[a] The Saxons in England, vol. i. p. 404.

[b] Cf. Beowulf, ed. Thorpe, 2151, 3950, 4085.

XXV.—*Sépultures Chrétiennes de la période Anglo-Normande trouvées à Bouteilles près Dieppe, en* 1857 ; *par* L'Abbé Cochet, Hon. F.S.A.

Read 21 and 28 May, 1857, and 28 Jan. 1858.

Troisième Exploration.

La sépulture chrétienne du xie au xvie siècle est encore peu connue. Son histoire ne saurait guère être établie qu'à l'aide de documents liturgiques et archéologiques. Déjà l'archéologie sacrée a étudié avec un louable zèle les monuments qui recouvrent le sol ; mais ceux que la terre cache dans son sein sont encore inexplorés. Pour un grand nombre de ces documents une difficulté insurmontable se présente. Consacrés par l'usage et par la religion, les asiles qui les recèlent sont inviolables et inaccessibles même pour la science, sauf le cas de travaux publics.

Toutefois les nombreuses sécularisations d'églises et de monastères opérées par la Révolution française, les translations de cimetières si fréquentes de nos jours, pour cause de salubrité publique, ont rendu plus facile l'étude des sépultures chrétiennes. C'est à une suppression d'église opérée par la Révolution, et à une sécularisation de cimetière consommée par la voirie départementale, que je dois l'avantage de connaître Bouteilles, et toutes les ressources qu'il présente à l'archéologie du moyen âge. Cette terre jadis sacrée est à présent affectée à des usages complètement profanes. A la place d'une église et d'un cimetière, c'est une route, une maison, un jardin, et un verger.

Les deux premières explorations que j'y pratiquai en 1855 et en 1856 ont été si heureuses que j'ai cru devoir en tenter une troisième. Mes premières études ayant porté vers le bas de l'église et sur son parvis, j'ai cru cette fois devoir attaquer le chevet et les collatéraux. Ma nouvelle fouille a parfaitement réussi. J'ai trouvé 20 tombeaux entiers ou en morceaux ; 5 croix de plomb, toutes écrites ; et environ 150 vases chrétiens allant du xiiie au xvie siècle. Dans le résumé que je présente ici de ma dernière exploration, je commence par le récit journalier de la fouille. Je traiterai ensuite séparément des tombeaux, des croix, et des vases.

§ I. Récit et Procès-verbal.

J'ai commencé ma fouille le 3 Avril, 1857. Les deux premiers jours employés à ouvrir la tranchée, ne nous ont fait voir au milieu d'inhumations récentes que quelques vases chrétiens en terre blanche vernissés de vert. Toutefois nous avons pu, par la présence des mortiers, nous assurer de l'existence d'une muraille circulaire, détruite depuis longtemps. Je résolus de suivre ce vieux mur, que je considerais comme la dernière trace d'une abside.

Le lundi 6, à la profondeur de 1^m 50, et tout à côté d'un contrefort, j'ai trouvé un cercueil de pierre orienté est et ouest, mais dont la tête avait été enlevée pour asseoir les fondations du mur. Ce sarcophage, composé dans son couvercle et dans ses côtés de morceaux de moëllon, n'avait d'autre fond que l'argile naturelle et quelques cailloux placés sous l'aire. La terre végétale, qui avait pénétré dans le cercueil, enveloppait de tous côtés le corps du défunt.

Le mardi 7, dans les hauts terrains, nous avons recueilli les restes de deux vases en terre blanche qui avaient eu des anses, tous deux avaient possédé un vernis vert très luisant. Ils ont dû être forés. En tous cas ils ont contenu du feu, car l'intérieur était noirci par la fumée, et ils etaient tout enveloppés de charbon de bois. Au dessous de ces vases, nous avons rencontré deux cercueils de pierre, dont un contenait une croix de plomb.

Le premier de ces cercueils, placé a la profondeur de 1^m 90^c, était dans le cimetière à côté d'un contrefort, et le long du mur circulaire déjà mentionné. Orienté est et ouest, et assis sur l'argile, il s'était trouvé effondré par un long tassement et rempli de terre végétale. L'auge qui le composait était faite avec trois morceaux de moëllon placés à champ sur chaque côté ; un quatrième était au bout et deux au sommet, mis l'un sur l'autre pour former la place de la tête. Le couvercle, en pierres plates, comptait 5 ou 6 morceaux. Le tout était légèrement soudé avec du mortier.

Voici les proportions du sarcophage, lesquelles pourront servir pour tous les autres. L'épaisseur des moëllons, à peine dégrossis, était de 6 à 8^c. La longueur totale de l'auge prise au dehors était de 2^m, la largeur intérieure était de 23^c aux pieds, de 34 à la ceinture, et de 46 aux épaules ; celle de la tête, mesurée au dehors, avait 20^c ; quant à l'entaille circulaire, elle n'offrait guères que la place du chef enveloppé de son suaire. Cette entaille était pratiquée dans deux pièces posées horizontalement l'une sur l'autre, la pièce inférieure fortement creusée, la pièce supérieure formant couvercle.

Quant au défunt, qui n'avait pas bougé, c'était un sujet grand et jeune, couché

sur le dos, les mains pieusement croisées sur la poitrine : la tête, sortie de l'entaille, était descendue sur les épaules.

Le deuxième cercueil était aussi le long du mur circulaire et épais dont j'ai parlé, mais à l'intérieur de l'édifice. Assis sur le sol à la profondeur de 1^{m} 50^{c}, il était orienté est et ouest, et composé comme le précédent de pièces de moëllon. Il offrait comme eux une entaille circulaire assez fortement relevée sur le plan du sarcophage. Quoique les pièces eussent été liées avec du mortier, le couvercle s'était effondré, et un peu de terre mêlée de charbon avait pénétré dans l'intérieur. Une couche de chaux recouvrait le fond argileux du cercueil. Cette couche présentait une couleur verdâtre semblable à de l'oxide de cuivre, et les ossements eux-mêmes offraient à divers endroits une teinte violacée. Le mort, qui n'avait pas bougé, paraissait avoir été d'une force extrême : les ossements étaient très gros, quoique la tête fût petite et délicate. La stature était haute, et l'âge ne paraissait pas dépasser 50 ans. Il était couché sur le dos, face au ciel, la tête dans l'entaille, les mains croisées sur la poitrine, et pressant sous ses avant-bras une croix de plomb contenant une formule d'absolution. Nous verrons dans la suite que ce chrétien s'appelait Bérenger.

Le 8 Avril nous trouvons dans les tranchées des ossements sans ordre, ainsi que des fragments de vases, jadis remplis de charbon, car plusieurs sont forés et noircis par la fumée. J'examinerai plus tard ces débris que je recueille soigneusement. Je constate seulement qu'il y avait bien les restes de 18 à 20 vases.

Ce jour là nous avons trouvé deux cercueils de pierre, l'un à 1^{m} 40 du sol, l'autre à 2^{m} 29 au moins, tous deux à l'intérieur de l'édifice.

Le premier, qui est celui d'un enfant, mesuré au dehors n'a que 1^{m} 10^{c} de long, 60 de large, et 29 de haut. Orienté est et ouest, il est composé comme les autres de moëllons plats, épais de 10^{c}. Le couvercle est en 3 morceaux, et le fond est à bain de mortier avec un léger blocage. Dans la terre d'infiltration je remarquai quelques charbons de bois. Le corps de l'enfant était entier, couché sur le dos, les mains croisées sur la poitrine. Je n'ai pas observé s'il y avait une entaille pour la tête. Le crâne et les os du bassin, examinés par le Docteur Delatre, ont été attribués par lui à un sujet de 10 à 12 ans.

Le deuxième cercueil, à la profondeur de 2^{m} 29^{c}, était grand et beau. Long de 2^{m}, il était large aux épaules de près de 50^{c}; la longueur de la pièce destinée à l'entaille de la tête avait 40^{c}. Composé dans son couvercle et dans les côtés de dalles de moëllon brutes et épaisses de 12^{c}, il avait été soudé avec du mortier. L'orientation allait de l'est à l'ouest, et le fond avait été posé sur l'argile jaune où l'on distinguait pourtant quelques charbons. Comme la terre n'y avait pas penétré,

nous avons pu remarquer sur les portions proéminentes des ossements une teinte violette déjà observée dans des sarcophages anciens notamment à Paris, en 1807.[a]

Le sujet qui reposait ici devait être grand et fort quoique jeune, car nous ne pensons pas que son âge doive dépasser 25 ans. Il avait été inhumé sur le dos, face au ciel, et les mains pieusement croisées sur la poitrine. La tête était un peu descendue de son entaille circulaire, laquelle était pourtant fortement creusée dans deux morceaux de moëllon.

Au milieu des déblais les plus profonds nous avons rencontré une défense de sanglier; c'est la troisième trouvée dans nos fouilles de Bouteilles; ceci prouverait peut-être que les sangliers si communs aux époques Gauloise, Romaine, et Franque, n'avaient pas encore disparu de nos forêts à la période Normande.

Le 9, après avoir rencontré dans les terrains supérieurs des restes de 5 ou 6 vases en terre blanche vernissée de vert, nous avons ouvert deux cercueils dont un était en pierre et l'autre en maçonnerie, tous deux toutefois à l'intérieur de l'édifice.

Le cercueil de pierre était incomplet: il n'en restait guères qu'une moitié, celle de la tête. Ce sarcophage séparé du précédent par un longue pierre fichée en terre à une grande profondeur, avait été coupé dans sa partie inférieure afin d'asseoir la muraille de l'église; il était comme son voisin à une profondeur de 2^{m} 29^{c}, orienté est et ouest, et formé de grossières dalles de moëllon soudées avec du mortier. Les os des jambes avaient été relevés lors de la destruction du cercueil et placés dans la partie haute. Le bassin s'est rencontré sur la poitrine, et malgré ce bouleversement les os avaient conservé à la surface une teinte violette que je ferai analyser.[b] La tête, posée face au ciel, était restée dans son entaille circulaire, et les mains avaient été croisées sur la poitrine. Il est probable que les avant-bras pressèrent autrefois la croix de plomb que nous avons recueillie sous la mâchoire inferieure. Le sujet ici inhumé pouvait avoir cinquante ans. Au milieu de la terre végétale qui était descendue dans l'auge j'ai remarqué des charbons de bois.

Le second cercueil était assis sur l'argile à 1^{m} 60, toujours à l'intérieur de l'édifice.

[a] "Lorsque l'on démolit l'antique église de Ste Geneviève de Paris on ouvrit les tombeaux de cette basilique, et deux savants illustres, MM. Fourcroy et Vauquelin, virent avec étonnement deux squelettes dont les os étaient teints depuis les côtes jusqu'-à la moitié du tibia d'un beau violet très foncé. Ils jugèrent, contre divers avis opposés, que la matière colorante qui s'etait épanchée sur les ossements n'etait qu'un simple résultat de la décomposition des corps eux-mêmes." Langlois, Notice sur des tombeaux Gallo-Romains trouvés à Rouens, &c. dans les Mém. de la Soc. des Antiq. de Norm. t. iv. p. 242.

[b] L'analyse pratiquée à Dieppe, par M. le Docteur Delatre, a démontré qu'à Bouteilles, comme à Paris, la couleur violette des os etait due à une matière animale.

Celui-là n'était pas en moëllon, mais en maçonnerie grossière. C'était une masse énorme qui ne resemblait pas mal à une fondation antique. Les côtés et les bouts du cercueil étaient faits avec de gros silex à peine taillés, et soudés à l'aide de mortier. Le couvercle se composait de lourdes dalles de brêche posées sans art et simplement liées avec du mortier. Le fond était une argile rougeâtre fortement verdie comme par une décoction de cuivre, dont pourtant nous n'avons trouvé nulle trace. L'orientation était est et ouest, comme partout. Le squelette avait été inhumé face au ciel, les avant-bras croisés sur la poitrine. Il avait possédé autrefois une croix de plomb, mais comme le métal était de mauvaise qualité, elle est tombée en morceaux par suite d'oxidation. Dans la terre d'interposition, j'ai remarqué, comme toujours, des traces de charbon.

Au dessus de ce cercueil était placé un corps qui fut peut-être enfermé dans un cercueil de bois, car nous avons recueilli autour de lui de 10 à 12 clous à deux têtes. Au dessous, au contraire, à la profondeur de près de deux mètres, nous avons rencontré dans l'argile un autre corps, tout enveloppé de matières noires, comme ceux que nous avons vus à Envermeu et à Londinières.

Le 10 nous n'avons recueilli qu'une défense de sanglier, des fragments de 8 à 10 vases au milieu de charbons. Un de ces vases était en terre noire assez fine.

Le 11 j'ai recueilli des débris de 12 à 19 vases de toute forme et de toute couleur. Quelques-uns de ces vases sont noirs, d'autres rouges, mais le plus grand nombre est blanc vernissé de vert. Plusieurs sont forés et noircis, parceque toujours le charbon les accompagne.

Le 14 a été le jour le plus heureux de la campagne, car outre les fragments de 5 vases chrétiens j'ai rencontré 2 cercueils de pierre et 2 croix de plomb. Ces sarcophages étaient dans le cimetière le long du mur méridional de l'église, et non loin d'un contrefort; tous deux étaient orientés est et ouest.

Le premier avait eu son couvercle enlevé vers les pieds et les côtés entamés, mais la partie supérieure n'en était pas moins complète. Entre chaque dalle de moëllon on remarquait une couche de mortier. Le fond du cercueil était recouvert d'une légère couche de chaux. Le corps, qui n'avait pas bougé, paraissait appartenir à un sujet encore jeune et vigoureux. Il était placé sur le dos, et les mains croisées sur la poitrine. La tête était restée dans son entaille circulaire composée de deux morceaux. Une croix de plomb était placée entre le cou et les mains à-peu-près à la hauteur du sternum. Le côté écrit était tourné vers le ciel, et le haut de la formule regardait la tête.

Le deuxième cercueil était placé à côté du premier, mais vers la vallée, et se rapprochant de la tête. Il dut avoir la même longueur, mais il était en partie

détruit vers le bas. Depuis les pieds jusqu'au bassin le couvercle avait complètement disparu. Au sommet était une entaille circulaire pour la tête. Le corps toutefois était resté en place, il paraissait être celui d'un homme dans la force de l'âge.

Un peu au dessous des mains croisées, et presque vers le bassin, j'ai recueilli une forte croix en plomb, dont le côté écrit faisait face au ciel. Cette fois le haut de l'écriture était tourné vers les pieds. Cette croix avait probablement quitté sa place naturelle. Dans la terre d'interposition des deux cercueils nous avons remarqué des charbons et des moules.

Le 19, tout à côté du dernier cercueil visité hier, j'ai rencontré encore en place l'entaille circulaire d'un cercueil d'enfant dont l'auge avait complètement disparu. Cet enfant, dont nous avons retrouvé les ossements dans le sol, pouvait avoir de 7 à 8 ans. A ce propos nous rappellerons un fait que nous a certifié notre confrère M. Feret, c'est qu'en 1842, lors de la découverte des premières croix de plomb à Bouteilles, on en recueillit une sur un tout petit enfant.[a]

Au nord de ce cercueil d'enfant, en remontant un peu vers l'ouest, était une autre entaille circulaire renfermant encore le crâne de son ancien propriétaire. Toutefois l'auge et le corps avaient disparu depuis longtemps.

Dans les terrains supérieurs des tranchées nous trouvons les restes de 7 ou 8 vases, qui ont possedé des anses et des trous faits après la cuisson. Presque tous ont conservé des traces de feu et des charbons. Il s'est trouvé aussi quelques clous courts et à deux têtes. Autour du crâne je remarque deux vases pleins de charbon et à-peu-près entiers; ils sont en terre blanche et fortement vernissés de vert. J'en donnerai la forme, que j'attribue au xive siècle.

Le 16 on n'a recueilli dans la coupe des terrains que les fragments de 6 ou 7 vases en terre blanche, vernissés de vert, et noircis par la flamme ou le charbon.

Le 17 nous avons recueilli les restes de 4 ou 5 vases, et un entier. Ce vase entier était en terre blanche recouvert au dehors d'une couche épaisse de vernis verdâtre. Il avait une anse, et affectait la forme d'une chaudière. Il était couché sur le flanc, à côté d'une tête, et encore rempli de charbon de bois. Parmi les fragments de cette journée, j'ai remarqué un vase rouge, dont la panse était munie d'un rang de trous percés dans la terre molle avant la cuisson.

Après avoir constaté les restes de deux cercueils en moëllon, dont un avait

[a] P. J. Feret, Notes sur les Observations de M. Fallue concernant les Sépultures de la Vallée de l'Eaulne, p. 3. Rouen, Péron, 1851. Revue de Rouen, année 1851, p. 313.

conservé son entaille circulaire, nous avons déblayé, depuis le sol jusqu'à 75ᶜ de profondeur, une grossière maçonnerie de silex. Cette masse recouvrait ou plutôt écrasait une auge en moëllon dont voici les proportions :—longueur totale : dehors, 1ᵐ 90 ; dedans 1ᵐ 70 ; profondeur intérieure, 0 22ᶜ ; largeur aux épaules, 0 40ᶜ ; aux pieds 27ᶜ. La tête, longue de 0 45ᶜ, était d'une seule pièce. Son entaille n'était pas ronde comme les autres, ni entièrement carrée, mais, plus large au fond qu'à l'entrée, elle affectait la forme d'un entonnoir.

Le squelette qui remplissait ce sarcophage appartenait à un sujet d'environ 50 ans, possédant une jolie tête parfaitement conservée. Il avait été mis sur le dos, face au ciel, les mains jointes sur la poitrine.

Toutes les dalles en moëllon étaient soudées ensemble à l'aide de mortier, tandis qu'une légère couche de chaux couvrait le fond du cercueil.

En dépit de toutes ces précautions, et malgré la masse énorme de maçonnerie qui protégeait cette auge, la terre y avait pénetré, et en la dégageant nous y avons reconnu du charbon et des valves de moules.

Il ne faut pas perdre de vue que cette sépulture était dans le cimetière, le long et au dehors de l'église. La maçonnerie me paraît indiquer l'antique présence d'un monument extérieur, cénotaphe, pierre tombale ou autre. Il s'en suivrait donc qu'au xiiᵉ siècle, époque à laquelle nous devons reporter cette sépulture, il y avait dans nos cimetières des monuments extérieurs et apparents. Ce fait est assez peu connu pour les cimetières chretiens, qui au moyen âge paraissent avoir été de véritables pis-aller.

Toutefois nous n'avons pas été sans en rencontrer des exemples dans nos courses archéologiques en Normandie. J'ai vu des pierres tombales du xiiiᵉ et du xivᵉ siècle dans les cimetières d'Etretat, de Canouville (canton de Cany),[a] et de Fontaine-le-Dun (arrondissement d'Yvetot).[b] En 1856 j'en ai surtout rencontré deux fort rémarquables dans le cimetière de Biville-la-Martel, commune d'Ypreville, canton de Valmont. Ces deux tombes prismatiques, placées côte-à-côte, sont du xivᵉ siècle ; mais j'ignore si elles reposent sur de la maçonnerie.

Revenant à nos sépultures de Bouteilles, nous dirons qu'à 33ᶜ au dessous de la précédente nous en avons trouvé une autre assez singulière. Elle se composait de 6 dalles en moëllon épaisses de 19ᶜ posées tout simplement sur une fosse creusée dans l'argile jaune. Cet encaissement d'argile s'était assez bien maintenu pendant 6 à 7 siècles. Il n'y avait pénétré qu'un peu de terre végétale dans laquelle nous avons observé du charbon de bois et quelques valves de moules. Le corps qui y

[a] Les églises de l'arrondissement d'Yvetot, t. 1, p. 179. [b] Ibid. t. 1, p. 331.

fut déposé était celui d'un jeune homme, dont la position ressemblait à celle de tous les autres.

Le 18, à 75ᶜ du sol, j'ai visité un cercueil en moëllon, dont la tête avait disparu, enlevée probablement lors de la construction des murs. Le côté nord du cercueil manquait également, mais le côté sud et le couvercle étaient restés intacts, encore soudés avec une legère couche de mortier. Le couvercle, composé de 5 dalles, s'était effondré, et avait laissé pénétrer de la terre végétale, dans laquelle on voyait quelques traces de charbon et des coquilles de moules. Au fond s'étendait une couche de mortier, verdie dans toute sa longueur comme par une décoction de cuivre ou de bronze.

Le corps du défunt, placé sur le dos et face au ciel, était entier jusqu' à la tête, qui avait été soigneusement descendue sur les épaules. Ce qui prouve que cette opération avait eu lieu peu après l'interrement, c'est que la mâchoire inférieure adhérait encore à la mâchoire supérieure.

Les constructeurs de ce mur devaient être de braves chrétiens bien respectueux envers les morts, car nous n'avons pas observé partout la même précaution.

Le crâne était fort épais et les fémurs très gros.

Nous concluons que le défunt placé ici devait être un vieillard. Les mains avaient été croisées sur la poitrine selon l'usage général, et les avant-bras pressaient une petite croix de plomb sur laquelle on lit un *Confiteor* et un *Misereatur*. Cette croix, qui était réglée, presentait le côté écrit vers le ciel, le sommet de l'écriture était dirigé vers la tête.

Au côté sud de ce cercueil, et à une fort petite distance, les ouvriers ont trouvé trois ou quatre vases en terre blanche, munis d'anses et vernissés de vert au dehors. Quelques uns percés de trous pratiqués après la cuisson, contenaient encore du charbon et du noir de fumée.

Le 20 j'ai trouvé deux cercueils coupés à la hauteur du bassin et privés de leur partie supérieure, ordinairement la plus intéressante. L'un était en moëllon comme presque tous les précédents. Son encaissement était si incomplet qu'il ne restait plus que le couvercle et le côté nord. Tous les os étaient bouleversés. L'autre se composait d'une couche de maçonnerie épaisse de 40ᶜ, au dessous de laquelle étaient des ossements bien alignés dans une terre noire et charbonnée. Tous ces cercueils étaient orientés est et ouest, et suivaient la direction de l'église.

J'employai les journées des 21, 22, et 23 à faire un sondage au bout de l'abside circulaire que je crois être celle du chœur ; je le poussai jusqu' à l'argile naturelle à 3ᵐ de profondeur. Il ne me ramena que des débris de vases chrétiens en grande quantité et de toutes les formes. Je n'estime pas à moins de 150, le nombre des

fragments que nous avons recueillis. Je traiterai plus loin le chapitre de ces vases qui se présentent ici comme pour une nouvelle résurrection générale. Nous avons aussi constaté la présence d'un contrefort et de l'épaisse muraille d'une abside romane à present disparue.

Une fouille supplémentaire, pratiquée dans le courant du mois de mai, me révéla autour de l'abside 2 cercueils en moëllon semblables aux précédents, et environ 20 vases en terre blanche, tous forés et vernissés de vert.

§ II. Description et Examen.

Nous ferons porter ce chapitre d'examen et de discussion critique, sur trois points principaux, les tombeaux, les croix, et les vases.

Commençons par les cercueils.

1°. *Les tombeaux.*—Il y en avait de trois sortes, en pierre, en maçonnerie, et en bois. Parlons d'abord de ceux de pierre.

Je ne répéterai pas ici la description minutieuse que j'en ai donnée dans mon procès-verbal. Je me contenterai de faire quelques rapprochements, les rapprochements étant l'âme de l'archéologie, qui du reste, comme toutes les sciences, vit d'expériences et de faits bien constatés.

Dans mes deux précédents mémoires de 1855[a] et de 1856,[b] j'ai déjà cité un grand nombre de faits propres à prouver que les cercueils de pierre formés de plusieurs pièces ont été grandement en usage dans les cimetières chrétiens du xie au xiiie siècle. Depuis j'ai encore recueilli quelques faits nouveaux que je m'empresse de faire connaître à ceux qui veulent bien me suivre dans mes explorations souterraines et presque géologiques.

Autour de l'église de Sigy (arrondissement de Neufchâtel), et le long des murs de cette vieille collégiale fondée en 1040 par Hugues de Gournay, et rebâtie avec magnificence vers la fin du 12e siècle, on a trouvé en 1855 un cercueil en pierre du pays composé de plusieurs pièces soudées ensemble au moyen de mortier.[c] Ce sarcophage renfermait un squelette dont les mains étaient croisées sur la poitrine, et un vase de terre rempli de charbon et foré de plusieurs trous. Ce vase, qui m'a

[a] Sepult. Chrét. de la période Anglo-Normande, etc. en 1855, apud Archæologia, Vol. XXXVI. Proceedings of the Soc. of Antiq. of London, vol. iii. p. 206-12. Sépultures Gaul. Rom. Franq. et Norm. pp. 319—30. Mém. de la Soc. des Antiq. de Norm., t. xxii. pp. 11—21.

[b] Note sur les Sépultures Anglo-Normandes, etc. 1856, apud Archæologia, vol. XXXVII. Proceedings of the Soc. of Antiq. of London, vol. iii. pp. 290—94. Sépult. Gaul. Rom. Franq. et Norm., pp. 331—38. Mém. de la Soc. des Antiq. de Norm. t. xxii. pp. 129—37.

[c] Sépult. Gaul. Rom. Franq. et Norm. p. 370.

été communiqué par M. le curé de Sigy, remonte au moins au 13e siecle. Il ressemble entièrement, pour la terre et pour la forme, aux vases trouvés à Leure en 1856 dans la sépulture de Pierre Bérenguier (1270—90).[a]

Nous avons déjà parlé du tombeau de Nicolas Gellant évêque d'Angers,[b] mort en 1290, et dont le cercueil avait été composé de plusieurs pièces de tuf. Il paraît bien que ce mode de sépulture dura longtemps dans l'Anjou, car en Fevrier 1857 on trouva dans le chœur de l'église de St. Serge, à Angers, le tombeau de l'abbé François d'Orignai, mort en 1483. Le sarcophage qui le contenait était fait avec des tuffeaux joints à la hâte.[c]

Tous les jours de nouveaux faits de ce genre viennent s'inscrire sur les tablettes de l'archéologie.

Mais voici une découverte qui se rapproche encore plus des nôtres par sa forme et les circonstances de son invention. Il s'agit de deux cercueils de pierre trouvés le 7 Mai, 1856, autour de la cathédrale de Worcester. Ils étaient placés près d'un contrefort du transept méridional de l'église, et contenaient chacun un corps bien conservé. L'un d'eux était d'une seule pierre, mais l'autre était fait de plusieurs morceaux. Tous deux du reste étaient beaucoup plus étroits aux pieds qu'aux épaules, et tous deux possédaient une entaille pour la tête. Cette entaille n'était ni circulaire ni carrée, mais en forme d'entonnoir comme celle que nous avons trouvée à Bouteilles le 17 Avril, 1857, et aussi comme plusieurs autres découvertes dans le même cimetière en 1855.[d]

La ressemblance des cercueils de Worcester avec ceux de Bouteilles est on ne peut plus frappante. On peut en juger par les détails et le dessin qu'en a donnés l'*Illustrated London News*.[e] Aussi je ne saurais mieux faire que de les reporter comme les nôtres à la période Anglo-Normande qui là, comme chez nous, va de Guillaume-le-Conquérant à Richard-Cœur-de-Lion. Je suis convaincu que nos voisins les archéologues anglais, si versés dans l'étude de leurs antiquités nationales, ne démentiront pas cette attribution.

La seconde espèce de cercueil dont il me faut parler, et dont il a été trouvé deux spécimens dans la dernière fouille de Bouteilles, est le cercueil fait en maçonnerie.

[a] Revue de l'art chrét. année 1857. Bullet. Monumental, t. xxii. p. 660.

[b] Sépult. Gaul. Rom. Franq. et Norm. p. 336.

[c] Godard Faultrier. Note sur un tombeau découvert à St. Serges, en 8° de 4 pages et 1 planche, Angers, Crosnier, et Lachère, 1857. Revue de l'Anjou et du Maine, année 1857. Bullet. Mon. t. xxiii. p. 79. Revue de l'art chrétien, de 1857, p. 130.

[d] Sépultures Gaul. Rom. Franq. et Normandes, p. 322—23.

[e] The Illustrated London News. du 21 Juin, 1856, p. 691.

En regard de la description que j'en ai donnée je placerai celui de Constance, femme d'Alain Fergent, duc de Bretagne, et fille de notre Guillaume-le-Conquérant. Cette princesse, décédée en 1091, fut probablement inhumée comme nos habitans de Bouteilles, le long des murs extérieurs de l'église de St. Mélaine, de Rennes. Voici en effet ce que nous lisons dans une note qui a été communiquée par notre confrère M. Ramé, du comité de la langue, de l'histoire, et des arts de la France.

"Le 9 Juin, 1672, des ouvriers employés à creuser les fondations de la tour occidentale de l'église de St. Mélaine, de Rennes, rencontrèrent un cercueil en maçonnerie se retrécissant vers les pieds et recouvert de grandes pierres plates; il contenait outre un étui en cuir qui avait servi à enfermer le corps, un crâne, des débris de chévelure, des ossements, une étoffe de laine d'un tissu gros et mal serré, de couleur brune, qui paraît naturelle, estant teinture, et à la place ou devait être l'estomac, une croix de plomb de 19 pouces de haut." [a]

Cette croix publiée par Hevin, avocat au Parlement de Bretagne, contenait les noms et titres de l'illustre défunte, ainsi que la date de son décés. Pour la forme, elle ressemblait à une église à transepts, ou plutôt elle reproduisait on ne peut mieux les deux croix anglaises éditées par M. Wylie dans *l'Archæologia*,[b] et trouvées l'une à Lincoln sur le prêtre Siford, l'autre à Chichester sur l'evêque Godefroi. Cette dernière a cela de remarquable qu'elle etait sur un evêque Anglo-Normand, compatriote et contemporain de Constance de Bretagne.

Mais il est un troisième genre de cercueil dont nous avons déjà dit un mot, et sur lequel il nous faut revenir.

Dans la fouille de 1856 nous avons à deux reprises differentes signalé dans le sol, et tout auprès des cercueils de pierre, la présence de clous gros et courts, ayant à un bout une forte tête, et à l'autre un gros rivet. Le 8 Mars, 1856, nous avons trouvé autour du corps, et de la croix de Guillaume, de Bouteilles, une vingtaine de ces mêmes clous, tout saturés de bois oxydé. Nous en avons conclu à la présence d'un cercueil de bois dont les planches devaient avoir une certaine épaisseur.

Nous avons conservé quelques uns de ces clous, qui seraient peut-être plus justement appelés des écroux. Nous avons mesuré la distance qui sépare les deux têtes; elle est de 3^{c}. On peut en conclure avec certitude l'épaisseur des planches de la bière.

[a] Extrait de la Notice rédigée par l'avocat Hevin, au xviie siècle, et dont il n'existe que deux exemplaires.

[b] M. Wylie, Observations on certain sepulchral usages of early times, apud Archæologia, vol. XXXV. pp. 298—304.

Cette année nous avons encore rencontré, à différentes reprises, de ces mêmes clous, dont les têtes étaient devenues énormes par l'oxyde. Le corps du clou, encore saturé de bois, n'a presque plus d'angle, tellement qu'on pourrait le considérer comme rond. Cependant quelques uns ont conservé leur forme quadrangulaire. Nous les avons mesurés tous, et tous nous ont donné 3^{c} de distance d'une tête à l'autre; ce qui suppose des planches de cette épaisseur.

Il me paraît à-peu-près certain qu'autrefois ces planches de bois (*tabulæ*), comme disait Grégoire de Tours, n'étaient pas même accordées à tout le monde. Cette opinion, qui a besoin d'être contrôlée, pourrait s'étayer de l'autorité d'une miniature qui se voit dans le missel du célèbre Jean Talbot, au chapître de l'office des morts. On y remarque deux fossoyeurs prêts à descendre dans la fosse un corps qui paraît simplement enveloppé dans un étui d'étoffe ou de cuir.[a] Mais, je le repète, cette question ici est plutôt indiquée que traitée, car les preuves me manquent pour une démonstration complète aussi bien que pour une conviction absolue. Toutefois un plus grand nombre d'observations élucideront cette matière pour les temps du moyen âge.

2°. *Les Croix.*—Apropos des croix, nous avons deux sortes d'observations a soumettre au lecteur : les unes générales, les autres particulières. Commençons par les caractères qui sont spéciaux à chacune d'elles; nous arriverons ensuite à ce qui est commun à toutes.

Pour decrire nos croix suivons l'ordre dans lequel elles se sont présentées. La première recueillie le 7 Avril est la plus legère, la plus délicate, et aussi la mieux conservée au point de vue épigraphique. Haute de 12^{c} et large de 7, elle pèse 50 grammes, et a moins d'un millim. d'épaisseur. L'écriture belle et lisible s'aligne très bien sur un fond rayé à l'avance. Cette croix etait placée sur la poitrine du mort. Le haut de l'inscription dirigé vers la tête, et le côté écrit tourné vers le ciel, elle contenait la formule suivante.

" Dominus Jehesus Christus, qui dixit discipulis suis, quodcunque ligaueritis super terram erit ligatum et in celis, et quodcunque solueritis super terram erit solutum et in celis, de quorum numero, licet indignos, nos esse uoluit, ipse te absolvat, Berrengarine, per ministerium nostrum, ab omnibus criminibus tuis, quecumque cogitatione, locutione et operatione negligenter egisti, atque nexibus absolutum perducere dignetur ad regna celorum, qui uiuit et regnat pater et filius et spiritus sanctus per omnia secula seculorum. Amen."

[a] Ce missel, retrouvé vers 1856, par M. Alfred Ramé, de Rennes, chez un brocanteur de Bretagne, est attribué par lui à l'an 1420, ou environ.

Cette formule déjà trouvée en 1842, 1855 et 1856,[a] est exactement la même que celle qui se lit dans les manuels et les rituels de l'Église de Rouen. La seule particularité qu'on y remarque, c'est que la défunt se nommait Bérenger, appellation très commune en Normandie dès le 11e, le 12e, et le 13e siècle. Sans nous occuper à recueillir dans les chartes, dans les monuments géographiques, et jusque dans l'histoire, des exemples qui abondent, nous ne pouvons nous empêcher de faire remarque une coïncidence assez singulière, c'est qu'en même temps que nous exhumions à Bouteilles, pays de salines, le nom de Bérenger, on trouvait à Leure, près le Hâvre, autre terre de sauniers et de maraîchins, la dalle tumulaire de Pierre Bérenguier, qui dut être un marin du 13e siècle, comme ses homonymes de Leure, Bertin et Adam Bérengier, maîtres de nefs en 1295 et en 1340.

La seconde croix, trouvée le 9 Avril, sur la partie haute de la poitrine d'un défunt, est d'une forme plus soignée et plus élégante que les autres. Toutefois la pareille, comme type, à été recueillie à Bouteilles en 1842.

Le plomb étant d'une qualité inférieure, l'inscription s'est fort mal conservée; elle était tracée à la pointe, mais par une main novice ou inhabile. Le fond d'ailleurs n'ayant pas été rayé, la main du scribe avait divagué. De l'inscription qui recouvrait la presque totalité de la surface, M. Léopold Delisle n'a pu déchiffrer que ces quelques mots: "In nomine Patris . . . . . qui dixit discipulis . . . . . nos esse voluit ipse te absoluat . . . . ." Ces quelques membres de phrases suffisent pour indiquer une formule d'absolution qui, à l'exception de l'invocation de la Sainte Trinité, devait rentrer dans la catégorie ordinaire et commune.

La troisième croix, trouvée le 14 Avril, était sur la poitrine, le haut de l'inscription dirigé vers la tête, et le côté de l'écriture tourné vers le ciel. Longue de 14e et large de 10, elle est épaisse d'un millim. et pèse 120 grammes. Elle n'a pas de cran et de ses 4 croisillons un seul est écrit, et encore il ne possède que trois lignes seulement. Ces trois lignes, tracées sur un fond non rayé, quoique parfaitement accusées, ne sont pas très lisibles, à cause de l'oxyde provenant de la mauvaise qualité de plomb. Cependant il a été facile de s'assurer, par ce qui reste de caractères, que l'inscription placée ici n'était qu'une des trois oraisons que recite le prêtre sur le corps du défunt lorsqu'il l'a deposé dans la fosse, et qu'il a jété trois fois de la terre sur le cercueil. Cette oraison, la première des trois suprêmes, est aussi une espèce d'absolution. Nous la reproduisons en entier, plaçant entre

[a] Bulletin du Comité de la Langue, de l'Hist. et des Arts de la France, t. iii. pp. 313—16. Archæologia, vol. XXXVI. pp. 266—70. Sépult. Gaul. Rom. Franq. et Norm. pp. 305—9, 326, 337.

parenthèse les lacunes de la croix : " Absolue Domine animam famuli tui B. ab omni uinculo delictorum, (ut in resurrectionis) gloriâ (inter sanctos et electos tuos resuscitatus respiret)."

Déjà une fois à Bouteilles, dans notre fouille de 1855, nous avions trouvé sur une croix l'oraison " Absolve,"[a] mais cette fois elle était sur une femme, tandis que celle de 1857 était certainement sur un homme, dont le nom commençait par un " B." En 1855, l'oraison se trouvait comme par surabondance ajoutée à la fin d'une absolution, tandis qu'en 1857 elle se trouve seule sur la croix, et sans aucun accompagnement. De ceci il faut conclure que dans la coutume qui nous occupe, et dont nous rassemblons les éléments afin d'en reconstituer l'histoire, il y avait bien des variantes se rattachant toutes à l'absolution chrétienne, dont nous verrons encore de nouveaux exemples.

La quatrième, la plus grande et la plus lourde de toutes, a été trouvée aussi le 14 Avril, descendue sur les os du bassin. Longue de 16^{c} elle est large de 10, épaisse de 2 millim. et pèse 270 grammes.

Le fond de cette croix n'a pas été rayé, aussi l'écriture, œuvre d'un scribe inhabile, est-elle démesurément longue et semée sur le fond d'une façon très inégale. Si les premières lignes sont droites, les dernières sont tellement anguleuses qu'elles ressemblent à un chevron brisé. La moitié de la croix est couverte d'écriture qui, bien que mal tracée, se laisse lire assez aisément, grâce à l'excellente qualité du plomb. Elle contient la formule d'absolution qui suit : " Dominus Jehesus Christus, qui dixit discipulis suis, quodcunque ligaueritis super terram erit ligatum et in celis, et quodcunque solueritis super terram erit solutum et in celo, de quorum numero, licet indignos, nos esse uoluit, ipse te absoluat per ministerium nostrum ab omnibus peccatis tuis, quæcunque locutione, cogitatione negligenter egesti ipse te absoluat."

Le lecteur reconnaitra ici une variante de la formule habituelle. Jusqu'aux trois quarts le libellé de la prière est le même, la fin seule a été tronquée par un scribe pressé d'arriver au terme par le plus court chemin. Cette abréviation insolite nous prive des seuls renseignements personnels que contiennent ces sortes de monuments, le nom et le sexe du défunt.

La cinquième est veritablement la plus originale et la plus remarquable sous tous les rapports. Car ici ce n'est plus seulement une formule d'absolution ou d'oraison quelconque. C'est aussi une formule de confession à laquelle vient s'ajouter une prière absolutoire.

[a] Archæologia, vol. XXXVI. p. 271. Sépult. Gaul. Rom. Franq. et Norm. p. 327.

Decrivons d'abord cette croix trouvée le 18 Avril sur la poitrine d'un mort. Elle est petite, mais d'une forme gracieuse. Longue de 10^{c} sur 8 de large, elle est épaisse de 2 millim. et pèse 125 grammes.

L'écriture fine, distinguée comme celle d'une charte, est tracée d'une façon très droite sur un fond qui n'a pas été rayé. Ici le scribe était évidemment habile et expérimenté. L'écriture ne recouvre que deux branches de la croix, celle du haut et celle du bas, et encore elle ne les recouvre pas complètement.

Comme nous l'avons déjà dit, cette croix contient un *confiteor*, dont voici la formule parfaitement déchiffrée par M. Leopold Delisle.

" Confiteor[a] deo et omnibus sanctis ejus et tibi pater, quia peccaui nimis in legem dei, quecumque feci, cogitando, loquendo, operando, in pollutione, in meditatione, in opere, in consensu et in omnibus uitiis meis malis, ideo precor, pater, ut ores pro me ad dominum deum nostrum."

Le *misereatur* qui suit le *confiteor* ne s'est pas laissé lire aussi complètement; cependant, à l'aide d'anciens documents liturgiques,[b] il nous a été aisé de suppléer ce qui fait défaut à la lecture. Voici donc ce que l'on a pu déchiffrer; les parenthèses indiquent les suppléments: "Misereatur tui omnipotens deus et demittat tibi peccata tua preterita, presentia et futura, liberet (te ab omni malo, conservet) et confir(met in omni opere bono, et ad vitam) perdu(cat æternam.)"

Je ferai remarquer que sur une des croix de 1842 un *misereatur* à-peu-près pareil à celui-ci s'est rencontré au bas de la croix de Maseline.[c] Il était accompagné d'un *absolutionem* qui ici fait défaut. On observera à propos de ces variantes dans le *confiteor* et le *misereatur* que les formules étaient loin d'être fixées au temps de nos sépultures. D'abord les formules d'alors n'étaient pas les mêmes qu'aujourd'hui, ensuite ces mêmes formules différaient entre elles non seulement selon les pays mais encore dans la même localité.

Maintenant arrivons aux observations générales à toutes nos croix.

[a] Au mois d'Avril, 1857, j'adressai mes 5 croix de plomb à M. Vallet de Viriville, professeur à l'école des chartes de Paris, afin d'obtenir une bonne version de ces 5 chartes souterraines. Le savant professeur présenta mes croix à la Societé Imperiale des Antiquaires de France, qui les confia à l'examen de M. Léopold Delisle. Ce dernier fit son rapport à la Compagnie le 20 Mai suivant, et conclut, en terminant les lectures que nous avons transcrites, que les 5 croix etaient du 12e. siècle. Cette autorité, confirmée par le suffrage de la Compagnie, est la plus grande que nous puissions chercher.

[b] Missale secundum usum famosæ ac notatissimæ totius Ducatus Normannie metropolis ecclesiæ Rothomagensis, edit. de 1516. Breviaire de Salisbury, édit. de 1516, folio B. subt. 7, et édit. de 1531. Coll. o. 5, 12. Missel de Salisbury, édit. de 1555.

[c] Bullet. de Comité de la Langue, de l'Hist. et des Arts de la France, t. iii. p. 314. Sépult. Gauloises, Rom. Franq. et Normand. p. 305.

Toutes sont en plomb et découpées, à l'aide de ciseaux, à même une feuille de ce métal. Il est evident qu'une main inexercée a souvent présidé à leur confection, car presque toutes présentent des hachures et des entailles, résultat provenant du tâtonnement de l'outil employé à les découper. Toutes ont le type général d'une croix de Malte. Toutefois aucune ne se ressemble complètement, pour la forme comme pour la grandeur, ce qui prouve que ces sortes de croix n'étaient point astreintes à une coupe regulière ni à un type sacramentel, mais que chacun était libre de les tailler à sa fantaisie, en s'astreignant seulement au mode crucifère, qui alors était celui de la croix Grecque.

Cette forme de la croix Grecque, comme nous l'avons déjà dit, était celle des croix de consécration, des croix d'église, et des croix de cimetières de cette époque. Nous la retrouvons également sur toutes les monnaies du moyen âge, sur les vitraux et les peintures de manuscrits. Mais nous ne saurions nous dispenser de la montrer à Bouteilles même, sur une croix de chemin, que le peuple nomme la *croix de la moinerie*. Ce vieux calvaire encore placé sur la route de Dieppe à Arques, près des ruines du prieuré de Bernesault, est en pierre meulière, et ne saurait être postérieur au 12e siècle. Evidemment la croix de pierre et les croix de plomb sont contemporaines et inspirées à la même source. Toutes les inscriptions sont gravées à l'aide d'un instrument aigu qui dut ressembler au style antique.

Aux preuves déjà données de la persistance du style métallique à travers le moyen âge, je citerai les tablettes enduites de cire (tabulæ cerâ illitæ), sur lesquelles fut écrite la dépense des voyages de Philippe-le-Bel en 1301,[a] et les plaques de "taules" usitées à Lille en 1323 et 1381 pour "escrire l'assise du vin et la frine des boulangiers."[b]

J'ajouterai encore les témoignages de deux paléographes eminents, MM. Henri Bordier et Léopold Delisle. Le premier, dans un article publié par le *Moniteur* du 19 Mai, 1837, après avoir rappelé que les anciens se servaient de tablettes de bois ou d'ivoire enduites de cire, ajoute "que cet usage s'est continué pendant tout le cours du moyen âge, et qu'au 18e siècle les comptables employaient encore les tablettes pour leurs écritures." Il affirme de plus, que les Archives de l'Empire possèdent un registre composé de 14 tablettes de bois de platane, qui ne sont rien moins que les comptes de la maison de St. Louis pour les années 1256

[a] Archives des missions scientifiques et litteraires, t. v. p. 407. L'Abbé Lebœuf, Mémoires de l'Acad. des Inscript. et Belles-lettres, t. xx. pp. 267, 277, 292. Récueil des Hist. de la France, t. iii. Préface.

[b] Bulletin du Comité de la Langue, de l'Hist. et des Arts de la France, t. iii. p. 627.

et 1257. De son côté, la Bibliothèque Impériale possède aussi 55 registres de ce genre provenant de sources diverses, particulièrement du couvent des Carmes de Paris, de l'Abbaye de St. Victor, et de celle de St. Germain des Prés.[a]

Enfin M. Delisle m'écrivait le 21 Mai, 1857, à propos de mes croix de Bouteilles: "Vous avez raison de penser que l'on employait encore le style au 12e siècle. L'usage d'écrire sur des tablettes a persisté pendant tout le moyen âge, et vous savez qu'il se retrouve encore de nos jours à la poissonnerie de Rouen. Les inscriptions de vos croix ont aussi pu être tracées avec un instrument que possédaient tous les copistes du 11e et du 12e siècle, le poinçon dont ils se servaient pour régler le parchemin. Au reste, le poinçon et le style ne devaient guère différer l'un de l'autre."

Maintenant il me reste à exposer les differentes circonstances dans lesquelles j'ai reconnu l'usage de la croix sur les morts aux siècles si justement appelés chrétiens.

Dans la vie de St. Ansbert évêque de Rouen (689-95 ou 707) on lit que ceux qui ouvrirent son tombeau "invenerunt in brachiis ejus signum dominicæ crucis similitudinem gerens."[b] Il est clair que tous les chrétiens de Bouteilles, de Paris, de Périgueux, de Lincoln, de Chichester, et d'Edmund's-Bury voulaient marquer ainsi leur espérance et leur foi en la croix du Rédempteur.

En 1856 on trouva une croix de plomb, qui parait fort ancienne, dans le cimetière de l'église supprimée de St. Martin, de Louviers. Cette croix, qui n'a pas d'inscription, a la forme d'une croix latine, et rappelle assez bien celles d'Edmund's-Bury, où l'on trouve "Crux Christi pellit hostem+Crux Christi triumphat."

Voici maintenant un fait assez curieux dans l'ordre d'idées qui nous occupe. En 1856 M. Alfred Ramé, antiquaire distingué de Rennes, ecrivit au comité historique de Paris, dont il est le correspondant, qu'il venait d'acheter chez un brocanteur de Bretagne un livre d'heures du 15e siècle enrichi de plusieurs miniatures. Ce manuscrit n'était autre que le missel du célèbre Jehan Talbot, l'adversaire de la Pucelle d'Orléans, "1er Comte de Shrewsbury et de Westford, Baron de Talbot, Strange, Blackmer, Furnival, et Vardon, gouverneur d'Anjou et du Maine, Grand-maître d'Angleterre et Maréchal de France, tué en 1439 à la bataille de Castillon à l'âge de 80 ans." Comme ce livre est orné des armes de Marguerite de Beauchamp fille du Comte de Warwick et de celles de Talbot, il s'ensuit qu'il aura été exécuté vers 1418, époque du second mariage de l'illustre guerrier.

Sur ce missel on voit à l'office des morts une miniature représentant la

[a] Le Moniteur Universel du 19 Mai, 1857, p. 551.

[b] Bolland. Acta Sanctorum, Vit. Sancti Ansberti.

déposition d'un défunt dans son cercueil de bois, cérémonie qui a lieu au cimetière même, sur le bord de la fosse. Sur le linceul qui enveloppe le défunt l'artiste a représenté une croix pattée assez semblable à nos croix de Bouteilles. Cette croix, de couleur jaune, parait être en métal doré, en étoffe, ou simplement en peinture, car elle laisse apercevoir la couture du linceul.

Nous sommes loin de dire qu'il s'agit ici d'une croix d'absolution, mais nous pensons que cette image ou représentation peut aider à nous faire comprendre le rôle que nos croix ont joué dans les inhumations du moyen âge.

Aussi M. Alfred Darcel, de Rouen, qui a vu beaucoup de manuscrits, a bien voulu nous dire que " dans les miniatures qui représentent la mise en terre d'un mort on voit celui-ci consu dans son suaire avec une petite croix sur la poitrine, et quelquefois une grande croix allant de la tête aux pieds et de l'une à l'autre épaule. Si la grande croix n'est que peinte sur le drap du linceul ou rapportée en étoffe d'une autre couleur, la petite peut être la représentation des croix d'absolution trouvées dans les cimetières du 11e et du 12e siècle." [a]

A ces documents, tirés de la peinture et des livres, ajoutons ceux que nous donnent les monuments eux-mêmes.

Le 3 Décembre, 1850, on a trouvé dans la cathédrale d'Angers, tout près du maitre-autel, le cercueil de plomb de Marie de Bretagne epouse de Louis, 1er duc d'Anjou, et grand'mère du roi René, décedée en 1404. Ce cercueil étant ouvert, on aperçut " une croix dont le pédoncule etait en bois et la traverse en cuir. Elle reposait sur la poitrine et s'élevait jusqu'au milieu du visage. Cette croix, longue de 36e sur 20 de large, avait cinq taches rouges, l'une *à ses bras, les autres à son sommet, sur son milieu et aux pieds.*" [b]

3° *Les Vases.*—La céramique chrétienne du moyen-âge étant encore peu connue, je me trouve forcé d'entrer dans des détails que je pourrais négliger à une époque plus avancée de la science. Cette même nouveauté de la matière sera cause aussi d'une foule d'hésitations et de tâtonnements dans l'attribution des objets; mais je m'estimerai heureux si, marchant dans une voie nouvelle et à-peu-près inconnue, je ne tombe pas dans des erreurs trop grossières ni trop nombreuses.

J'ai déjà dit que ma dernière fouille m'avait donné un grand nombre de fragments de vases. L'abondance en effet a été telle que je ne porte pas le chiffre

[a] Journal de Rouen, du 6 Juin, 1857.

[b] M. Godard-Faultrier, Rapport sur la pierre tumulaire placée dans le chœur de la cathédrale d'Angers en mémoire des ducs et duchesses d'Anjou-Sicile, p. 8—13; et dans les Mém. de la Societé d'Agric. Sciences, et Arts, 2e série, 2e vol.

Dessiné et peint d'après les vases originaux — A. Feret.

J. Basire, sc.

VASES FUNÉRAIRES DES XII, XIII & XIV SIECLES TROUVÉS DANS LE CIMETIÈRE CHRÉTIEN DE BOUTEILLES PRÈS DIEPPE, EN AVRIL 1857.

Published by the Society of Antiquaries of London, 23rd April 1858.

des morceaux à moins de 400. Toutefois deux pièces seulement ont été tirées entières du sein de la terre. La patience ensuite a réussi à restituer la forme des autres.

Désirant me rendre compte du nombre approximatif des vases qui m'étaient tombés sous la main, j'ai pris le parti de compter les fonds et j'en ai trouvé au moins un cent; mais il est sûr que le nombre de vases dont il existe des fragments doit dépasser 140.

La reconnaissance des différentes espèces ne me présenta pas moins de difficultés. Toutefois j'ai tenté de m'en rendre compte. Au premier coup d'œil j'ai reconnu environ 20 espèces ou variétés parfaitement appréciables; mais dans toutes ces catégories, si incomplètement représentées, j'ai surtout distingué quatre espèces que je puis appeler entières et que je vais essayer de définir.

La première catégorie, qui ne m'a donné que trois individus, se compose de vases en terre rougeâtre d'une couleur et d'une argile analogues à celles de nos briques modernes. Ce vase (Pl. XI. fig. 2), épais de trois millimètres, est haut de 8^c et large de 10 à la panse. Sa capacité présumée est d'environ trois décilitres. Il n'a ni anse, ni pieds, ni bec, ni goulot. Sa forme assez gracieuse est celle d'une petite urne Romaine. Je citerai comme analogue assez frappant pour la forme un vase Romain trouvé à Etretat en 1855.

Notre vase de Bouteilles a été destiné d'avance à contenir du charbon allumé; car la panse est munie d'un rang de trous circulaires percés dans la terre molle et avant toute cuisson. Nous ne saurions assigner d'époque à ce vase, parceque nous ne lui connaissons pas d'analogue; mais nous croyons qu'il n'est pas postérieur au 13e siècle.

La deuxième catégorie, comprenant six individus seulement, se compose de vases noirs dont la terre cendrée a reçu une légère couverte ardoisée au moyen de la mine de plomb. Ces vases sont tournés avec goût et leur pâte est fine et légère. (Pl. XI. fig. 3.) Tous sont munis d'anses, et portent des cous qui représentent le tiers de la hauteur de la pièce. Ce col est recouvert de raies horizontales. En général on peut dire que la forme de ces vases est celle de la 4eme catégorie avec une capacité moindre et un faire de meilleur goût.

La trace du feu n'est pas apparente sur les fragments, mais ils étaient mêlés à des charbons de bois. On ne saurait d'ailleurs douter de leur destination comme cassolettes, car la panse présente cette particularité que primitivement elle fut munie de trous pratiqués dans la terre molle avec un poinçon circulaire, puis au moment du service ces trous ayant été reconnus insuffisans pour l'évaporation, ils furent violemment agrandis avec un outil de fer.

L'époque de ces vases me paraît fort difficile à fixer même approximativement. Si la pâte noire, la couverte ardoisée et le façonnage léger les rapprochent de la période Franque, leur forme, leur forage, et le milieu dans lequel ils se trouvent, les font descendre jusqu'au 13e et au 14e siècle.

La troisieme catégorie, qui compte 10 specimens, est entièrement semblable au vase que nous avons trouvé en 1855, et qui a été reproduit par la Société des Antiquaires de Londres, dans les belles planches de son *Archæologia*,[a] par M. de Caumont, dans son *Bulletin Monumental*,[b] et par nous-même dans nos *Sépultures Gauloises, Romaines, Franques et Normandes*.[c] C'est un genre de vase dont la terre est blanche, fine, et bien choisie, le façonnage léger et la forme gracieuse. Ils possèdent une anse et un col court mais évasé ; l'interieur présente un vernis jaunâtre jaspé de vert, mais seulement au fond et sur les bords. (Pl. XI. fig. 5.) Ce vernis que l'on rencontre en Italie au 14e siècle[d] n'a dû guère se répandre en France avant le 13e. Cependant M. Brongniart a cru en trouver un exemple dès le 12e, mais ses preuves ne me paraissent pas concluantes.[e] Un vase semblable aux nôtres a été trouvé vers 1852 à Neufchâtel-en-Bray, dans la chapelle de St. Thomas-le-Martyr, dont l'érection remonte à la fin du 12e siècle.[f]

La capacité moyenne de nos 10 vases de 1857 est de cinq décilitres chacun, leur hauteur est de 10c, leur ouverture également de 10c, et leur plus grande circonférence de 38.

Plusieurs échantillons m'ayant présenté un rang de trous forés à la panse après la cuisson, j'ai tout lieu de croire que tous en ont possédé. D'ailleurs, le vase de 1855 était percé de la sorte ainsi que celui de Neufchâtel. Tous les vases de cette catégorie paraissent neufs, et semblent n'avoir jamais servi à usage domestique. C'est à peine si l'on surprendrait sur leurs parois intérieures quelques traces du feu qui y brula le jour des funérailles.

La quatrième espèce de vases était véritablement dominante, et dans des proportions telles qu'elle nous a donné 300 morceaux sur 400. Ces vases sont de ceux qu'on appelle en Normandie *pintes*, *chopines*, ou *pichets*. Leur forme arrondie par

[a] Archæologia, vol. XXXVI. p. 266, pl. xxi. fig. 6.

[b] Bullet. Monumental, t. xxii. p. 358.

[c] Sepult. Gaul. Rom. Franq. et Norm. p. 354 et 371.

[d] Brongniart et Riocreux, Descript. meth. du Musée Céramique de la manuf. Roy. de porcelaine de Sèvres, p. 139, pl. xxix. fig. 3.

[e] Brongniart, Traité des Arts Céramiques ou Poteries, t. ii. p. 33.

[f] Sépult. Gaul. Rom. Franq. et Norm. pp. 387, 388. Bullet. Monument. t. xxii. p. 438.

le bas s'allonge ensuite en un collet qui occupe bien le tiers du vase. Généralement ils offrent en moyenne 15^{c} de hauteur, 8 de largeur à l'ouverture, et 12 à la panse. Leur capacité ordinaire est de 8 décilitres. La couleur de la terre et du vernis varie beaucoup. Toutefois, si l'on en trouve en terre rougeâtre et en terre jaune, on peut affirmer que la terre blanche domine. Le vernis plombifère répandu à l'extérieur est tantôt olivâtre et jaspé de vert, tantôt d'un vert foncé, mais le plus souvent d'un vert tendre et clair. Quelques-uns sont lourds et épais, mais le plus grand nombre est fin et léger; ces derniers sont tournés avec assez d'élégance. Le col de quelques-uns est couvert de raies circulaires, tandis que celui des autres est uni. Ces vases qui ont tous une anse, n'ont ni bec ni goulot. (Pl. XI. fig. 1 et 4.)

La plus grande partie de ces vases a contenu du charbon, quelques-uns en étaient encore remplis. Tous présentent à l'intérieur des marques de feu ou de fumée. Presque tous sont percés à la panse d'un rang de trous pratiqués après la cuisson. Il est évident que la raison pour laquelle ils sont ici vient du rôle qu'ils ont joué dans les funérailles des chrétiens.

Mais de quel siècle étaient les chrétiens qui s'en servirent? Ici notre embarras est d'autant plus grand que de pareils vases ne nous ont jamais été signalés ailleurs. Toutefois leur terre, leur forme, et leur vernis nous font penser qu'ils peuvent appartenir au 14e et au 15e siècle. Mais nous doutons qu'ils soient postérieurs à cette époque. Ce qui nous fait pencher pour le 14e siècle, c'est que sur une miniature de cette époque reproduisant l'office des morts, on voit rangés autour du corps des vases allumés, entièrement semblables aux nôtres.

Je m'arrête ici dans mon œuvre de description, et afin de confirmer de plus en plus par des exemples la destination funéraire de nos vases de Bouteilles, je vais citer quelques faits analogues recueillis çà et là sur le sol de la France.

Je ne répéterai point ce que j'ai longuement établi dans ma dissertation *Sur la coutume de placer des vases dans la sépulture de l'homme, et spécialement dans les sépultures chrétiennes du* 11e *au* 17e *siècle*.[a] Seulement j'ajouterai quelques preuves nouvelles qui se sont fait jour depuis la publication de mon *Mémoire*.

Les grands travaux qui labourent dans tous les sens le sol du vieux Paris, font surgir à chaque instant du sein de cette grande ville, des cimetières et des sépultures chrétiennes toujours accompagnées de vases. Je citerai de ce nombre des vases extraits en 1852 de l'ancien cimetière de St. Magloire.[b] Ce sont

[a] Bullet. Monument. t. xxii. pp. 329—63, 429—46. Sepult. Gaul. Franq. et Norm. p. 339—96.

[b] Mém. de la Soc. des Antiq. de Norm. t. xxii. p. 37.

des pots à anse d'une terre jaunâtre recouverts de raies rouges verticales et percés sur la panse de cinq trous faits à la pointe. Ces vases, placés dans des cercueils de pierre ou de plâtre, se trouvaient uniformément deux à la tête et un aux pieds. Plusieurs ont été recueillis par M. Arthur Forgeais, de Paris, qui en a donné un au Musée de la Société des Antiquaires de Normandie. Ces pots contenaient pour la plupart des parcelles de charbon ou des résidus de plantes aromatiques. M. Forgeais a reconnu dans la *rue de la Tixeranderie* une ancienne fabrique de ces vases rayés avec de la sanguine.[a]

Le 16 Janvier, 1857, *dans la rue des Ecoles*, entre la *rue du Cloître St. Benoit* et la *rue St. Jacques*, des ouvriers ont rencontré au fond de cercueils de pierre des vases en terre jaune, percés de trous et sillonnés de raies rouges.[b] Ces lignes sont disposées par faisceaux de cinq, selon l'usage, dit M. Dusommerard, le zélé conservateur de Cluny, qui a recueilli ces vases dans son musée. Le même archéologue, dont le nom appartient aux illustrations de la science, a bien voulu nous dire qu'à chaque moment on rencontre dans Paris des vases semblables. Lui-même en a recueilli a diverses reprises, notamment dans les fouilles des *Halles centrales* et du *Boulevard de Sébastopol*.[c]

Il y a déjà longtemps que de semblables découvertes se font à Paris, car le savant Millin nous apprend, dans son *Magasin encyclopédique*, qu'en 1810 on trouva un vase chrétien en terre cuite dans l'enceinte de l'Archevêché de Paris.[d]

Au mois de Février 1857, on rencontra dans le chœur de St. Serges d'Angers le tombeau de l'Abbé François d'Orignai, décédé en 1483. Dans le caveau, et au côté gauche du cercueil de bois qui contenait le corps, on a trouvé deux vases de terre, dont un entier et l'autre en morceaux. Le vase entier était foré et contenait des restes de charbon. D'après le dessin qu'en a donné M. Godard-Faultrier, il ressemblerait assez pour la forme aux vases de Bouteilles que j'ai classés dans la troisième catégorie.[e]

[a] M. Charma, Procès-verbaux de la Soc. des Antiq. de Normandie, 3 Novembre, 1854.

[b] Le Siècle, du 17 Janvier, 1857.

[c] Lettres de M. Dusommerard des 14 et 18 Fevrier, 1857.

[d] Magasin encyclopédique d'Août, 1810. Lettre adressée par M. Pouyard, prêtre, à M. A. L. Millin sur un vase chrétien en terre cuite trouvé à Paris dans le palais de l'Archevêché, et brochure, en 8°, Paris, 1810.

[e] M. Godard-Faultrier, Note sur un tombeau découvert à St Serges, en 8° de 4 pages, avec planche. Extrait de la Revue de l'Anjou et du Maine de 1857. Revue de l'Art Chrétien année 1857, p. 130. Bull. Monum. t. xxiii. p. 76. Journal des Villes et des Campagnes du 2 Mars, 1857.

M. de Caumont, dont le zèle archéologique est aussi grand que la France, et qui chaque année parcourt une partie de l'Europe afin de faire avancer la science à laquelle il a voué sa vie, M. de Caumont, dis-je, raconte dans un de ses excellents rapports verbaux, qu'en 1856, visitant le musée de Niort, il y trouva une montre vitrée contenant des vases et autres objets recueillis dans des tombeaux chrétiens. "La collection des vases à charbon, ou à eau bénite, trouvés dans les tombes des différents siècles, est vraiment très riche et très variée de forme, et je pourrai," dit-il, "en faire dessiner une partie, car il y a des types qu'on ne trouve pas dans le nord. Quelques-uns de ces vases entre autres sont couvert d'aspérités comme de grosses pommes de pin; plusieurs sont entièrement recouverts d'un léger vernis de plomb."[a]

Les rédacteurs du Catalogue du musée de Nantes, MM. Guéraud et Parenteau, indiquent dans cette collection bretonne la présence de grands vases "percés renfermant du charbon, et de plus petits destinés à contenir de l'eau bénite." Ces pièces ont été trouvées dans les églises de Nantes et des environs.[b]

Dans notre Normandie, que je cite toujours de préférence, non seulement parce qu'elle est ma patrie, mais encore parceque ce pays, qui fut toujours grand dans le monde, possède des vestiges de toutes les civilisations, les vases funéraires des chrétiens se sont montrés, plustôt ou ont été mieux étudiés qu'ailleurs.

La métropole de Normandie nous a donné aussi son contingent de preuves. "En 1828," dit M. Delaquerrière, "lorsque l'on fouillait devant la porte latérale sud du grand portail de la cathédrale de Rouen, on trouva un certain nombre de petits pots de terre fort commune contenant encore des charbons; ils étaient percés de plusieurs trous, à l'effet d'accélérer la combustion."[c]

Mais la meilleure découverte faite depuis un an est celle qui a eu lieu au Hâvre, section de Leure, le 18 Novembre, 1856; en démolissant la vieille église de St. Nicolas, afin de la faire sortir de ses ruines, on a trouvé sous la pierre tombale de Pierre Bérenguier, mort vers la fin du 13e siècle (1270-90), six vases de terre remplis de charbons et rangés autour de la tête du défunt.[d] Ces vases, dont quelques fragments seulement nous ont été communiqués, étaient percés de trous, et encore noircis par le feu ou la fumée. La terre qui les compose est fine et légère, de couleur blanche et de belle qualité; ils n'ont ni anse ni goulot, mais

[a] Bul. Mon. t. xxii. pp. 6, 7 et 608.

[b] Catal. et descrip. des. objets d'Art du Musée Arch. de Nantes, pp. 57—58, en 8°, Nantes, Guéraud, 1856.

[c] E. Delaquerrière, Descript. Hist. des Maisons de Rouen, t. ii. p. 130. Journal de Rouen, du 6 Octobre, 1828.

[d] Bullet. Monum. t. xxii. p. 660. Revue de l'Art chrétien, année 1857, N° 1er.

seulement un collet un peu rabattu. Le corps du vase est recouvert de raies creuses et circulaires, et le fond en est bombé. Des vases pareils ont été trouvés abondamment dans le cimetière chrétien de St. Denis-de-Lillebonne. Le vase du Catillon était bombé par le fond comme ceux de Lillebonne et de Leure.

Nous ne terminerons pas ce travail tout archéologique sans ajouter un fait moderne et contemporain, qui malgré son actualité à tout l'intérêt d'une antiquité bien conservée. Le lecteur croirait-il, si nous ne le lui attestions, que la coutume de placer des vases dans la fosse des morts subsiste encore au sein de notre France? C'est pourtant ce que nous sommes en mesure de prouver pièces en main.

Dans mon mémoire *Sur la coutume de placer des vases dans la sépulture de l'homme* je disais au début: "Cet usage, qui remonte au berceau de l'humanité, a traversé les siècles avec la grande famille humaine, et il y à 200 ans à peine qu'il a quitté le sol de la France. Peut-être même y existe t-il encore caché en quelque endroit obscur, et nous ne serions nullement surpris d'apprendre qu'au fond d'une de nos provinces, au sein d'une paroisse reculée, vit et prospère la coutume des vases funèbres, aussi chère aux premiers chrétiens qu'a ceux du moyen-âge."[a]

Cela était écrit à la fin de 1856, et le 7 Mars, 1857, je recevais de M. J. Chevrier, de Châlon-sur-Saône, la lettre suivante:

"Je suis heureux, monsieur, de vous fournir l'occasion de justifier un pressentiment que vous exprimez dans le *Bulletin Monumental* de 1856, relatif à l'usage des vases funéraires. En effet notre Bresse et notre Morvan continuent encore aujourd'hui l'usage de placer dans le cercueil ou dans la fosse un vase ayant servi au defunt." Puis dans son mémoire sur les fouilles faites à St. Jean-des-Vignes près Châlon en 1855 et en 1856 le même archéologue s'exprime ainsi: "Dans le Morvan et notamment à Anost les paysans continuent encore de nos jours l'usage des vases funéraires; ils jettent sur le cercueil, au fond de la fosse, une écuelle ou un vase de terre ayant servi ordinairement au défunt, et dans certaine partie de la Bresse on jette dans la fosse le vase à eau bénite qui fut placé aux pieds du défunt avant la cérémonie de l'inhumation."[b]

Et maintenant qu'on me dise si quelque chose périt sous le soleil! Tout se transforme et se modifie; mais en vérité rien ne meurt, et si l'on regardait bien autour de soi on verrait que le présent n'est que la copie et l'écho du passé, comme l'avenir lui-même n'en sera que la reproduction et l'image.

[a] Bullet. Monument. t. xxii. p. 329. Sepult. Gaul. Rom. Franq. et Norm. p. 339.

[b] Fouilles de St. Jean des Vignes, près Châlon-sur-Saône, en 1855 et 1856, p. 22; et Mém. de la Soc. d'Hist. et d'Archéol. de Châlon-sur-Saône, t. iii.

Conclusion.—Dans notre conviction les hommes dont nous retrouvons ici les corps sont d'anciens *sauniers*, ou *saletants*, comme on disait à Dieppe; de vieux *paludiers* ou *maraichins*, comme on les appelait à Harfleur et à Leure. En d'autres termes, ces hommes ce sont des propriétaires de salines, des marchands ou fabricants de sel, dont les magasins et les grèves recouvraient jadis les bords de la Dieppe, transformée alors en un lac salé, ou en une rivière à marée. En un mot, ces hommes ce sont des commerçants et des industriels du 12e siècle, époque de la grande prospérité saunière de Bouteilles.

L'ABBÉ COCHET.

Dieppe, le 1er Juin, 1857.

XXVI.—*A View of the Ancient Limits of the Forest of Wychwood.* *By* JOHN YONGE AKERMAN, *Secretary S.A.*

Read 14th January, 1858.

THE attention of the Council of the Society of Antiquaries having been directed to the recent Act of Parliament[a] for the disafforesting of the royal forest of Wychwood, it was deemed right that some account of its ancient and recently existing state should be placed on record: I accordingly proceeded in the autumn of the past year to make a personal survey of this well-known yet but little explored district,—a district which in old times extended, north and south, from the woody upland of Charlbury and Ditchley to the green meadows of Witney and Cogges; and east and west, from the stream known as the Glyme, near Woodstock, to the borders of Gloucestershire.

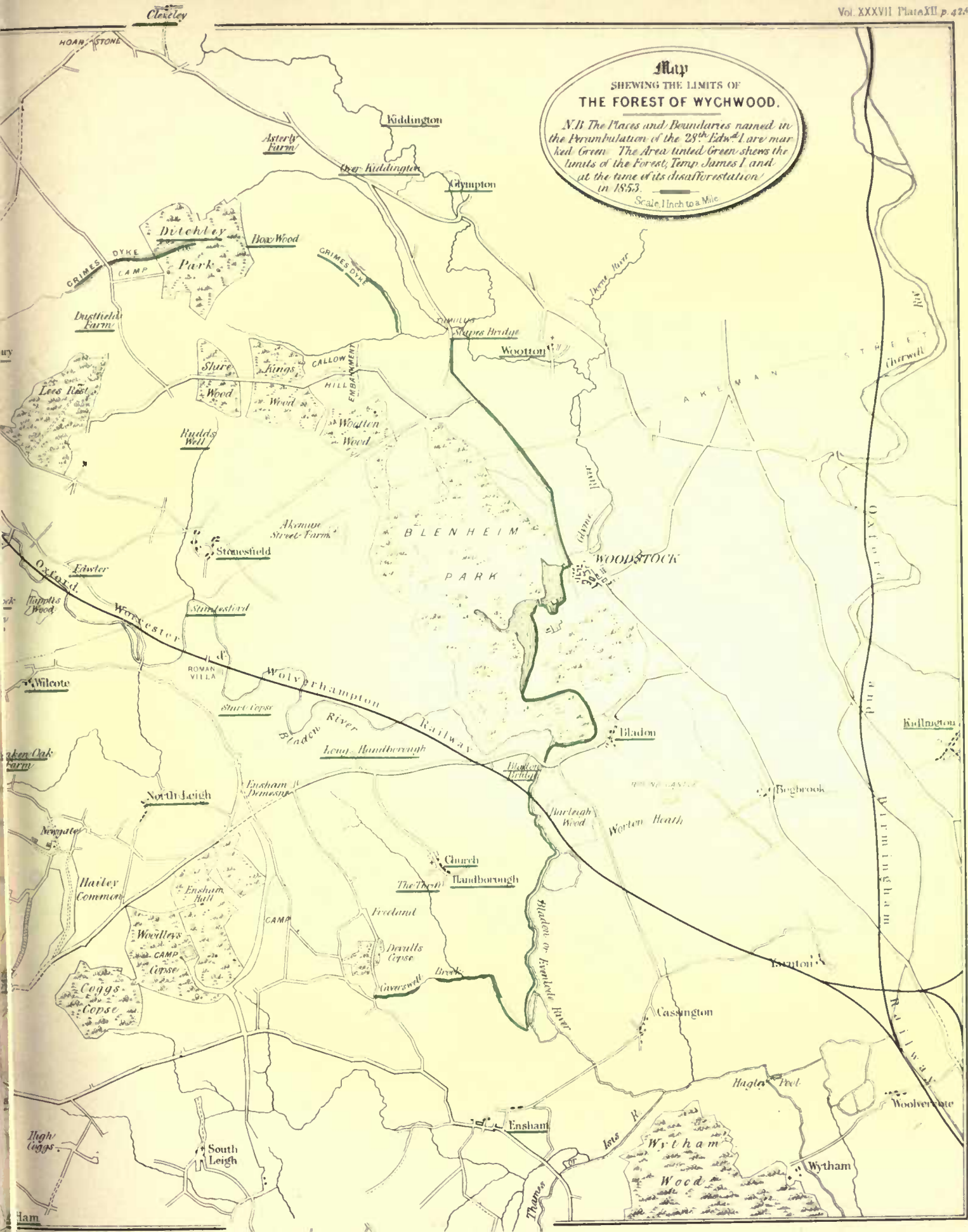
It appears by a Perambulation made in the 28th year of Edward the First[b] (A.D. 1300), that the bounds of the forest of Wychwood commenced at Bladen Bridge, proceeding by the stream of the Evenlode, then called the Bladen,[c] as far as Eynsham Mill, and thence by a certain sikett called "Caverswell Brook," running due west of the larger stream, to the Long Ford. Thence by the same sikett to the meadow called Cavershill. These localities are not now known by their ancient designations. The boundary then extends between the Frith and the wood called Mousley to the house of one Walter the vintner, in the village of Hanborough. The limits are then said to extend to Blowend, "on the east side of the sheepfold and croft of the Abbot of Osney." Thence, by the middle of Roweleye "to the spring where Leyhambrok begins," and so descending by Leyhambrook to Colnham, and thence "to where Colnham falls into the water of Bladen." Thence by the water of Bladen to Stuntesford. Thence, following the valley of Nettleden, as it extends between Stokley and the field of Stuntesfield, to Gerneleswode; then to Rotherwell, and thence straight between the wood called Erleswode of Bloxham, and the Forsakenho. Thence, following the Mere way of

[a] 17th Victoria.

[b] See original in Appendix, No. 1.

[c] It is called the Bladen in a charter of Æthelred, A.D. 1005—"andlang bróces innon Bladene; andlang Bladene intó Temese."—Cod. Dipl. vol. iii. p. 342.

Bledington
Sarsden
KNOLL BURY
HAWK STONE
TUMULUS
Chadlington
Spilsbur
CAMP
LYNEHAM BARROW
Padlicot Copse
Evenlode River
Bladen or
Shorthampton
Walcot
Chilson
Walcot Gate
Station
Rangers Lodge
Swedentree Plain
Knighton Copse
Watermans Lodge
Hazlewood
Cornbury
Smallstones
Wadden Riding
Evenden
Park
High Lodge
Newwell Plain
Buckleap
Slate pits
Witty Bottom
Kingswood
Fairfield Corner
Langley Wood
Little Langley
Langley
Wychwood Forest
Leafield
Leafield Barrow
Studley
Ramsden Heath
Finstock Heath
Gadding Gate
Ramsden
Wastidge
Southlawn Lodge
Hawkes
Rowstedge
Broadquarter
Westgrove
Wisdom
Field Assarts
Bags
Hicks
Stockley
Barrow
Fulbrook
Taunton
Fifield
Milton Heath
Ascot
Langley Mill
Shipton
Milton Field
Shipton Downs
Shipton Barrow
Taunton Down
Burford
Widford
Swinbrook
The Windrush
Asthal
Windrush River
Minster Lovel
Barrow
Crawley
Hailey
Minster Wood
Ringwood Oak
Standridge
Akeman Street
Carbridge Down
Witney
Carbridge
Asthal Barrow
Signett
Holwell
Part of Berkshire
Shilton


Map
SHEWING THE LIMITS OF
THE FOREST OF WYCHWOOD.
N.B. The Places and Boundaries named in the Perambulation of the 28th Edwd. I. are marked Green. The Area tinted Green shews the limits of the Forest, Temp. James I. and at the time of its disafforestation in 1853.
Scale, 1 Inch to a Mile
Cleveley
HOAR STONE
Kiddington
Asterly Farm
Over Kiddington
Glympton
Ditchley Park
Box Wood
GRIMES DYKE
CAMP
Dustfield Farm
Slapes Bridge
Wootton
Shire Wood
Kings Wood
CALLOW HILL
EMBANKMENT
Lees Rest
Wootton Wood
Rudds Well
Akeman Street Farm
Stonesfield
BLENHEIM PARK
WOODSTOCK
Edwter
Oxford
Worcester
Stunfesford
ROMAN VILLA
Wolverhampton Railway
Wilcote
Start Copse
Bladon River
Long Handborough
Bladon
Bladon Bridge
Ensham Demesne
North Leigh
Newgate
Barleigh Wood
Worton Heath
Begbrook
Church
Handborough
The Thrift
Hailey Common
Ensham Hall
Woodleys
CAMP
Copse
Freeland
Devalls Copse
Coggs Copse
Caverswell Brook
Bladon or Evenlode River
Yarnton
Cassington
Hagley Pool
Woolverstone
Ensham
Isis R.
Wytham Wood
Wytham
High Coggs
South Leigh
Thames
Oxford and Birmingham Railway
Kidlington
Cherwell
Glyme River
Dorne River
AKEMAN STREET

the same wood, to Dustelsfeld, a locality now known as "Dustfield Farm." Thence, by the middle of Dustelsfeld, to Grimesdich; and thence, between the woods of Bloxham and Spelesbury. Then from Grimesdich, by the corner of the wood of Bloxham, near the wood of Spelesbury, to Dichelehegg; and straight from Dichelege, as the hedge extends between the lands of Henry de Dichelege and Agnes de Bloxham, to the before-named Grimesditch, following the boundaries between the wood of Bloxham and that of Ennestan, called Le Boxe. Then to Felleyeshegg, following the little stream, or sikett, as it extends between the woods of Aymeric de Sancto Amando and Cudinton (Kiddington), in Boxden, to the Frith; thence between the wood of the said Aymeric to Benteleye. Thence straight between the Frith and the wood of Wotton to Paddeleye, and thence straight by the highway to the house of John de Slape in Wodestokeweye (the situation of which is at this day indicated by "Slape's Bridge," and "Slape's Bottom"), and thence straight between the field of Wotton, called Eldefeld, and Gunnildegrove to the wall of Wodestoke Park; then by the wall of the park to the river Glyme, following its course until it meets the Bladen or Evenlode, and terminating at the place first named, viz., Bladen Bridge, above the village of Long Hanborough.

A reference to the map now exhibited (Pl. XII.) will show the district comprised in this the first portion, for there are three portions described in the Perambulation. The river Evenlode or Bladen, as it was then called, as far as the modern paper-mill above Ensham, formed its eastern limit. It then for a short distance was bounded by the small stream running west, and thence extending to the western end of Long Hanborough. The locality now known as "the Thrift," is probably that anciently designated "the Frith." From this point the limits seem difficult of identification, owing probably to their having merged in the princely domain of Blenheim.[a]

Of the great antiquity of our royal forests there can be no doubt. Many of them appear to have existed long previous to the Norman Conquest. That the district here described was a very ancient hunting-ground appears from a writ of quo warranto in the 13th year of Edward the First, calling on Oliver Bishop of Lincoln to show his right to free warren in Hanborough. The bishop

[a] Ross tells us that Richard the Third disafforested a large portion of Wychwood around Woodstock which had been annexed by Edward the Fourth.—"Rex tunc a Londiniis removens usque per Oxoniam et usque Wodstoke clamore populi deforestavit magnum circuitum patriæ quem Rex Edwardus quartus frater suus contra conscientiam ad nocumentum patriæ annexerat et forestæ de Whichwood incorporaverat sub lege forestæ." J. Rossi Hist. Reg. Ang. ed. T. Hearne. 8vo. 1745, p. 216.

answered, by his attorney, that he and his predecessors, beyond the memory of man, had enjoyed that privilege.[a]

The bounds of the second portion of the forest are stated to commence at the margin of the Bladen, above Fawler's Bridge; thence by the Stoneway to Finstock, and through the middle of that village to Gatesden Head. Thence "between the New Frith and the Hulwerk" to the Wysok and the Mereway; then to Dockesladehead (now known as Dogslade), to Stodley, and "the east end of the ville called Felde," now known as Leafield, but in the language of this district "Field Town." The line then runs between Hawe and Ewardesfeld, and thence to Loveburyhurn, which extended to the Hulwerk. Thence, following the Mereway to the Elderstub, to Sewkeden, and by Sewkeden to Sewkeford and Losnegrave. Thence to Westgrove and Stokleye, the Mereway, and Hengrove. Then, following the Mereway, to Tudevin, Poreshull and Frethelestón, to Quernhale and Pochwell. Thence to Cutteshach and the Forsakenho, and so to the Crossway at Priestgrove's End. Then to the Launde of Priestgrove, to Boynhale, between the corner of Brestenhale and Boynhale, and so to the lowest head of Brestenhale, and the west end of Hevedwey, to the head of Smallstoneswey. Thence to the west head of Schetteresho, to Waddon and Cokshuteshull, between the wood of the king and that formerly of John the son of Nigel. Then to Rowvershull and Hodleye, and so to Longeruggeyate, between the wood of the king and that of Thomas Golafre, to the upper head of Bykersden. Thence between the wood and field to the New Cross and Lutlewadesyate, by the wood to the pinfold of Cornbury, and so to Nunnechurch and to the water of Bladen.

The third portion of the forest commenced at "Grimeshevedesden," on the south side of the town of Witney. The spot is at this day known as "Grimes Mead." The line ran hence to Wodestokesweye, or the road from Witney to Woodstock, as far as Madlebrok and Madlewell, to the middle of the village of North Leigh; thence by a certain hedge to Lullesley; thence to the Forsakenhok, a locality still indicated in the name of a farmstead called "Shakenoak Farm." Thence to Sigardesthorne, Nethergate, Mirabelescroft, and the house of Walter Alfred, localities no longer identifiable. Then to Sawrode and Sharpesterte, and descending Bischopesden, to Tremaunemere and the Akeman-street. From this well-known road the line extended to Colneyshatch and Sponden, and thence, by the stream of the Windrush, again to Grimeshevedesden, between the town of Witney and the village of Coggs.

[a] Placita de Quo Warranto, Oxon. p. 664.

The jurors further state that the manor of Eynesham, with the hamlets, etc., adjoining, and the manor of Norhtleye, the manor of Staunton Harecourt, the manor of Cogges, the hamlet of Wyvelcote (Wilcote), the manor of Ministr' (Minster Lovel), the manor of Asthall, and the hamlet of Swinebrok, with the woods, etc., were afforested after the coronation of the lord the king Henry, great-grandfather of the present king, so that no profit has been received of the wood since then. Also that the manor of Folebrok, and woods adjoining, was afforested in the like manner; of which woods those of Losnegrove, Purveaunce, Westgrove, and Whitele, are in the king's hands on account of waste, and the other part of the same woods in the hands of the bishop. Also that the manor of Teynton, the manor of Schipton, the wood of the rector of Schipton, the manor of Estcote, the manor of Podelicote, the manor of Certeden, the manor of Chadelington, the manor of Spelesbury, and the wood of the Abbot of Wynchcombe, called "the Boxe," and that part of the hamlet of Clivele on the west of the river Glyme, and the hamlets of Asterle and Over Cudynton, and the wood belonging to the manor of the Abbot of Oseney, at Cudlington (Kidlington), and the wood belonging to the manor of Glymton, and the wood called the Frith in Glymton, were afforested as above to the like injury. Also that the wood called Prestegrove, formerly belonging to the rector of Schipton, was afforested as above, and is now in the king's hands on account of waste done in the time of the king Henry, father of the present king, and the like with regard to the wood of Stokheye, which was James le Blund's of Fauelore.

The latter part of this report affords a vivid picture of the evils existing under the forest laws, and of the absolute power of our early English monarchs over the land of their subjects, and even that of the church itself. But our business at present is with the district included in the bounds describing the third portion of the Forest of Wychwood. On the south-west side, this division is defined by the stream of the Windrush, which separates the town of Witney into two portions, known as the upper and the lower town, the latter being included in the forest. There were formerly annual contests on the night of the 5th of November between the boys of the upper and the lower town, the buildings in which in old maps are shown to be at some distance apart. This seems to be verified by the existence of "Church Green" at the southern extremity of the town, and "Wood Green" at its northern end, the Plega-stow, or Locus Ludorum, of the inhabitants of each district.

In the year 1044 Eadweard the Confessor gave to Bishop Ælfwin thirty *mansas* in the place called Wittannige. The land limits are thus recited:—

Ærest andlang ðæs streámes on ðone mædham ðe hýrnð into Scylftúne; and fram Scylftúne andlang stréames ðæt it cymð tó ðám mylewere ðe hýrnð into duceling dúne; of ðæm wære ofær ðone wegean mór intó hocslew; ðanon on ða niwan díc; of ðǽre dic on horninga mǽre of horninga mǽra andlang ðæs gemǽres tó hlǽwan slǽde; of ðam slǽde into dufan doppe and swá andlang gemǽres into Léofstánes bricge; of Léofestánes bricge into kytelaceras; of kytelaceras innon ða wudestrét; andlang ðǽre stréte into hafoces hlǽwe; of hafoces hléwe innon wænríc; of wænríc to swondæne; æfter swondæne tó ðǽre háran apeldran; of ðǽre apeldran andlang gemǽres innan swonlége; of swonleáge úpp tó ðám heáfdam; of ðám heáfdan andlang súrode innan huntenan wey; andlang huntenan weye into Wíchám; of Wíchám á be ðáre wyrtruman ðæt hit cymð on seeapa wey; of seeapa weye andlang rihtes gemǽres innan æcenes [sic MS.] felda andlang rihtes gemǽres on kicgestán; of kicgestáne intó æceres felda; of æcenes [sic MS.] felda ðǽr ða cnihtas licgað and fram hám ðe ða cnihtas licgað on mætseg; andlang metseg intó wénríc.[a]

Of course the greater portion of the landmarks here enumerated cannot now be identified, but there are some which appear to be yet recognizable, and in this belief they find a place here. Scylfton is not the village near Burford now called Shilton, but the name is still traceable in "Shilton Meadow," below Witney.[b] The boundary then extends to Ducklington, and the *New Ditch*. This is, probably, the ancient dike called Ems Ditch. Tradition assigns this work to Emma, the mother of Edweard the Confessor, and the date ascribed to it may be correct, although it may not be the new ditch mentioned in the charter of Eadweard; but the connecting of the queen's name with it apparently rests on no better authority than the supposition that *Ems* is a contraction of *Emma's*. A far less fanciful etymology may be found in the Ham's Ditch, or drain of the hams or water-meadows, which almost surround the town.[c]

The limits here described are curious from the mention of "Wudestret," the "hunting-way," and "Wíchám." The two first appear to refer to localities within the verge of the forest, and, if so, are at once evidence that Wychwood was a Royal hunting-ground prior to the Norman Conquest. No village or homestead is now known in this neighbourhood as Wicham, and, if the foregoing conjectures are admissible, it must be sought for in the spot at this day occupied by what is termed the lower town of Witney.

By an Inquisition taken at Burford in the 17th year of Charles the First,[d] the bounds of Wychwood Forest were found to be the same as those of the 20th of James the First, beginning at a place commonly called Wittall, in the south corner

[a] Codex Diplomat. Ævi Saxonici, tom. iv. p. 92.

[b] "Shilton Ham" appears on the map of Oxfordshire in Gough's Camden, but it is not noticed in the Ordnance Survey.

[c] See the curious and valuable Glossary prefixed to the third volume of the Codex Dipl. Ævi Saxonici, v. *Ham*, pp. xxvii. xxviii.

[d] See original in Appendix, No. 2.

of a field called Walcot Field, near the wall of Cornbury Park, and proceeding thence by the said wall to a place called Patchill-gate-corner, and so by the said wall to a coppice called Padise Coppice, and so by the hedge and ditch called Padise Hedge to the field called Lurden Field; thence to Eight Acres, Rode-gate, Beno Hedge, otherwise Bennet's Hedge, and Gaddingate. Thence by the King's way to Ramsden Heath, otherwise Hulwerk, leading from the town of Woodstock towards Burford to the lake called Duckpool; and so by the way to the place called Five Oak or the Wyseoke, to Dock Slad, Bynett, or Dock Slad end; and so by the way to the entrance of the village of Field,[a] commonly called Studlye or Stodlye. Thence to Little Sarte, to King's Sarte, Grasseclosse, and Hatching-lane Gate; and so by the ditch to Hollow Oak Close as far as Hasill Stile. Thence to Holland Lane, Field Green Gate, Cow Close Corner, to the Hore Stone in Gadley. Thence to Cleysart Corner, and so by the boundary and ditch called Cleysart Hedge to Gadley Gate; and so by the ditch to Watcham Sarte[b] Hedge to Loborow or Loneburie Corner. Thence by the road between the wood of the king and the copse called Loborow or Loneburie to Lillies Cross.[c] Thence to Fordwell Bottom, or Duckpool Bottom, or Sukedene, by the ancient boundary stones. Then by the way leading to Burford, to Puntus, or Punbas Corner; and so by the way called the Mere way, between the wood of the king and Westgrove Coppice to Rowstidge Corner. Thence by the way called Rowstidge way, between the wood of the king and Rowstidge Coppice, and the wood called Hengrove to the Elder Stump and Ladyham Corner[d] in Hengrove. Then to the cross in South Lawn called Tudvin, or Tudhill Cross, and so between the woods called Tainton Woods and the wood of the king, including the house called Burford Launde

[a] Leafield, or, as it is called in the language of the distict, "Field Town," is a large primitive village in the very heart of the forest. The inhabitants have always been noted for their uncouth dialect, which indueed me to pay Leafield several visits. I found, however, after diligent inquiry, that it does not essentially differ, except in tone, from that of the other parts of the county. The old relative pronouns, thick (thilk) and thuck (thulk), so common in the adjoining counties of Gloucester and Berks, and in North Wilts, are not used by the denizens of Field Town. The village had once an ancient church, which has long since been demolished. The base of a stone-cross is still to be seen on the green. The shaft of this structure was a short time ago overthrown by mischievous hands, and it now protects the angle of a smithy from the shock of passing vehicles.

[b] Assart.

[c] A cross cut on the top of a boundary stone.

[d] A low, flat boundary stone resembling the head-stone of a grave, and inscribed—

LADIHAM
CORNOR

marks this spot.

Lodge. Thence in a direct line to the stone called Frethelestone,[a] and so far as the gate called Frethelestone Hatch, or Shippen Gate. Thence to the angle commonly called Langley Corner by the wall called Langley Wall, as far as the place called Langley Pound. Thence to Langley Gate, Furfield Corner, to Shakenhoe,[b] or Forsakenhook, or Cutchatch Gate. Thence to Priestgrove's Corner and Priestgrove's End to Ball's Acre, excluding all the bounds and metes last mentioned on the left hand. Thence between the wood of the king called Shakenhoe, and the copse called Priestgrove, to the Hore Stone, and so to Woofield Green, otherwise Priestgrove Lawn, between the wood of the king called Bunstock and another wood of the king called Kingswood, and a wood called Boynall, to Kingswood Stile; and so as far as the place called Braswell, or Brastenhall Point, or Corner; and so between the wood of the king and the field of the village of Ascot as far as Braswell Gate to Smallstone Corner and Smallstone Stile. Thence to Hawkewell Bottom, and so by the hedge and ditch of the field of Chilston to Waddon Green; and so between the wood of the king and Kington Coppice. Thence to Cockshoot Hill, to the angle called Cockshoot Hill Corner; then by the hedge to Nighton Coppice; thence by the way called the Mere way, between the wood of the king and the said coppice called Nighton Coppice to Biggersden Gate, New Cross Gate, or Dampoole Gate, Littlewade's Gate, or Walcot Gate; and so by the hedge and ditch to the place first named, namely Wittall Stile.

The limits here recited agree with those of the time of the disafforestation, and are shown in the portion of the map now exhibited coloured green, the places mentioned in the Perambulation of the 28th Edward the First being marked green.

Having thus traced the ancient and modern limits of the forest of Wychwood, I shall proceed to notice some of the more remarkable remains of antiquity which lie within, or adjacent to, its precincts. I confine my remarks to those of the earlier periods, leaving its mediæval antiquities to more competent hands. Its interesting churches are described in the publications of the Oxford Society for promoting the study of Gothic architecture.

[a] This ancient boundary stone (Frithwaldes stan?) is mentioned in the Perambulation of the 28th Edward I. On my search for it I was shown the spot where, until the disafforesting, it had long lain prostrate. It has been lately broken up to make the newly-formed roads in this district! The "Hore stone," near this spot, is cracked in several places, and is doubtless doomed to perish in the same manner. Hundreds of our ancient land-marks have in this way disappeared within the memory of man!

[b] *i. e.* the Forsaken oak of the older Perambulation.

And first of the village near Woodstock called Bladen. This, as already shown, was, up to the end of the thirteenth century, the name given to the stream now known as the Evenlode; and the fact that it was also the earliest name by which Malmsbury, as well as the stream by which that town was watered, were designated, seems to furnish strong presumptive evidence that the now obscure village of Bladen was once a British town. The camp called "Round castle," on the hill, a little more than half a mile south-east of the village, may have been connected with it,—a place of refuge in time of danger.

"The Devil's Quoits" at Stanton Harcourt. In a field about half a mile N.W. of the village of Stanton Harcourt are three large stones, set upright in the ground. Their dimensions, proceeding from south to north, are as follows:—

No.	Height.	Width at Base.	Width at Top.	Thickness.
1.	8.6	6.10	5.9	1.9
2.	7.6	4. 6	2.5	1.8
3.	5.4	5. 6	5.0	1.6

There is a tradition in the neighbourhood that the northernmost stone, No. 3, was once removed by an occupier of the land, and laid across a water-course, where it served as a bridge over which waggons and carts for some time passed, and that it was restored to its old locality at the request of one of the Harcourt family. A groove in this stone, eight inches from the top, seven inches in width, and about three inches deep, is believed to have been caused by the wheels of the vehicles when it lay prostrate. The situation of this group is indicated in Speed's map of Oxfordshire, on which six stones are depicted, but they are called the Rollright Stones, and are apparently confounded with the well-known circle bearing that name, situated a short distance north of the town of Chipping Norton.

An examination of the ground on which these remains stand, might probably enable us to form an opinion as to the object of their erection. From the relative position of the stones they appear to have once formed a circle of nearly nine hundred yards diameter. That such was their form appears also from the name of the village (A. S. Stán-Tún, *i. e.* the Stone Inclosure) near which they stand.[a]

Accounts of the Celtic and Anglo-Saxon antiquities, recently discovered at Stanlake and at Brighthampton, have been read to the Society in the present session.

[a] These stones also gave the name to the village of Stanlake, the modern orthography being obviously corrupt. The name is spelt without the *d* in the Rot. Hundr. temp. Ed. I.

Tumulus near Crawley. About half-way between the high road from Witney to Burford, and the village of Crawley, on the west side of the lane leading into the village, are the remains of what was once a barrow of considerable dimensions. It is one of the class termed by antiquaries Long Barrows. A considerable portion (nearly one-half) was removed some years ago, when several skeletons were laid bare, but no relics of any kind were discovered. On measuring the remaining portion, it was found to be 107 feet long, by 83 feet wide. By permission of Mr. Stratton, the tenant of the land, I employed two labourers here for one day only, with a view to ascertain, if possible, the period at which this tumulus was formed, reserving its more complete examination for some future opportunity.

We commenced by an opening on the east side which had already been recently broken into for the purpose of obtaining stone, on which occasion several skeletons, I was informed, had been discovered lying just below the surface. After clearing a vast number of stones, which had been dislodged by the excavations in question, we discovered, what did not appear from the general aspect of the mound, that the tumulus stood upon a rock, and was, in fact, much shallower than was suspected, being formed almost entirely of stone. The excavations were accordingly continued towards the centre, when three skeletons were found lying east and west, two of them of individuals in the prime of life, and the third apparently that of a woman who had attained a considerable age, the molar teeth being absent, and the alveolar processes being completely closed. These skeletons were lying nearly in contact with each other. They were well protected by some of the largest stones, placed over them with great care, so that the frames of the pelvis were not crushed, the pubic bones being entire. At the waist of one of them was a small bronze buckle, less than an inch in diameter, to which some decayed substance, resembling leather, still adhered. It was probably the fastening of a girdle.[a] Not a vestige of any other relic was observed, nor could I learn that anything had been found previously.

I am disposed to ascribe this and similar barrows to the later Romano-British period. A careful examination of the portion which remains may possibly test the soundness of this conjecture. The interments assimilate to many others which have come under my notice in the south of England.

Astall Barrow. The situation of this tumulus is shown on the map. It is

[a] This object is now in the Ashmolean Museum.

planted with a thick clump of trees, the roots of which have doubtless by this time destroyed the remains it was designed to protect.[a]

Shipton Barrow is another large tumulus on the downs above the village of that name. Like that at Astall it is planted with trees.

Leafield Barrow, in the village of Leafield, is likewise planted with trees, which form a conspicuous object for miles around. It bears evident marks of having been assailed by treasure seekers.

There are other barrows within the forest, which, it is to be hoped, may be explored in the course of the next summer by some person accustomed to such researches. That on Lychale Plain has been assailed. The situation of the rest are indicated on the map, with the exception of a large stone-chambered tumulus at Slate Pits. This last, however, was plundered by one of the keepers, a few years since.

The Hoar Stone, near Enstone. This interesting monument, which gives the name to two villages in its neighbourhood, is a ruined cromlech. It stands near the three-mile stone north of the town of Charlbury, and is now protected by a stone fence from further injury. The antiquary will require no proofs of its remote age, of which the designation Hoar Stone is the best voucher. The frequent mention of hoar stones in land-limits prior to the Norman Conquest shows that our Saxon ancestors respected these monuments and adopted them as land-marks;[b] and it favours the supposition that they found these ancient sepulchres already desecrated and ruined on their arrival in this country.

Roman remains have been discovered at Wilcote, at Fawler, and at Ditchley.[c] But the most remarkable evidence of the Roman occupation of this district is the Roman villa near North Leigh. An account of this discovery, which was first made in the year 1713, is given by Hearne in the preface to the eighth volume of Leland's Collectanea. The floors are said to have been found covered with

[a] This pernicious practice of planting ancient tumuli with trees has destroyed their characteristic appearance in many places in England. The far-famed cromlech known as *Wayland Smith's Cave* (Archæologia, vol. xxxii. pl. xvii.) has long since been shrouded from view by a belt of firs; and the stone circle called *Rollright* is filled with a plantation of the same trees, which, as their roots expand, will infallibly dislocate the group.

[b] Vide Codex Dipl. Ævi Saxon. *passim.*

[c] Mr. William Taylor, of Charlbury, possesses a fragment of a cup of Samian ware, with the Potter's mark TAVRICI, and several coins of the later Roman emperors, dug up at Fawler. At Ditchley, Roman remains are frequently turned up by the plough.

charred wood and corn. In 1780 further discoveries were made on this site, when drawings and plans were taken of the remains by Mr. Lewington, of Woodstock. These have long been preserved among the Society's topographical collections.

The following is Gough's account in his additions to Camden's Britannia:

"At Stunsfield, a small village two miles from Woodstock, was found, in 1713, a large and entire Roman pavement, 35 feet by 20, not above two feet under ground, covered with burnt wood and corn, in part of a field called Chesthill Acre, a rising ground half a furlong from the Ikeneild way. In the middle of one of the compartments was, in a circle, the figure of Apollo or Bacchus, holding a thyrsus in his left, and elevating a flaggon in his right hand, and bestriding a tiger or dragon. The other compartment was square, inclosing an ornamented circle of wreath-work, a border of which went round the whole within another border of lattice-work. It has been since destroyed, except some of the borders under the Apollo, and part of the corners. In 1780 was discovered, adjoining to the middle of one of its longest sides, another room, 19 feet 10 inches by 19 feet 11. At the same time was opened here a room 12½ feet square, and on the opposite side of the larger room, another, 12 feet square. Above this last was an hypocaust of brick, and just at one corner thereof, a bath 6 feet 4 inches by 5 feet 4, 3 feet deep, with leaden pipes in the sides, which were 18 inches thick, covered with plaster painted red. All the rooms except the hypocaust and bath have beautiful pavements of wreathed and other work. Roman coins, from Vespasian to the Lower Empire, were found here, with fragments of earthen vessels, burnt bones of men and animals, melted lead and iron, and various masses of calcined matter. Part of the hypocaust had been seen at the first discovery in 1713."

Many confused accounts, besides that here quoted, have been given of these remains. In the first place they are given to Stuntesfield; but they lie in fact about midway between that town and the village of North Leigh, a short distance from the south bank of the Evenlode. Their being ascribed to Stuntesfield is, probably, owing to a discovery of a Roman pavement at a short distance east of the town, of which no particulars are recorded. On my visit to Stuntesfield I learnt that it had been totally destroyed. A reference to the map will show that the site of the pavements at North Leigh is not accurately described by Gough, who appears to have relied on the descriptions of others.

The very elaborate drawings now exhibited leave us in no doubt as to the identity of the figure on the principal pavement. It is plainly that of Bacchus,

holding the cantharus and the thyrsus, and seated sideways on a panther, not "bestriding" it.

In the years 1813—1816, further researches were made at North Leigh, the result of which will be found in a notice by Mr. Henry Hakewill, inserted in Skelton's Illustrations of the Antiquities of Oxfordshire.

J. Y. AKERMAN.

APPENDIX.

No. 1.

Among the Records deposited in the General Record Office, London, to wit, Miscellaneous Roll No. 113, Memb. 8, it is thus contained:—

OXON.

Rex Omnibꝫ ad quos ꝛc. Sciatis qđ cum coñunitas Regni ñri nobis concesserit quintamdecimã õim bonoꝝ suoꝝ mobilium ꝛc. ut supᵃ usq; ibi Perambulacio Forestaꝝ Coñ Oxoñ fca corã dñis Roḡo le Brabazun Rađo de Hengham ꝛ Willmo Inge Justic dñi Regis ad dcam ꝑambulacoem faciend assignat in ꝑsencia Forestarioꝝ ꝛ viridarioꝝ forestaꝝ ꝑdcarꝝ die Dñica in vigilia beati Petri in Cathedra anno regni Regis Edwardi vicesimo octavo ꝑ sacrm Joñis filij Guidoñ Fulcoñ de Rucote Thoñ de Parco Willi de Sharebrok' Henrici de Bruylly Gilberti de Gay Ric de Caune Joñis de la Hide Hugonis de Barton Stepĥi de Abendoñ Joñis de Haddoñ Robti de Stok' Robti de Romeny junioris Ric de Cornewell Rađi de Sutton Henr le Espicer de Cheping Norton Walꝑi Hosel de Lillingeston Robti Neel de Wode Pyric Nicĥi Brown Junioris Rađi de la Hide Willi Bernard Joñis de Honyngton de Chadelyngton Ade de Dounhalle ꝛ Robti de Astcote: Qui dicũt super sacrm suũ qđ Foresta de Wycchelwode incipit ad pontẽ qui vocatr Bladenebrugg ad capud ville de Hanebergĥ ꝛ sic descendendo per aquã de Bladeñ usq; ad inclusam stagni molendini quod vocatr Molend de Eynesham includendo Forestam ex parte dextᵃ ꝑ omnes bundas ꝛ metas subscriptas ꝛ excludendo extᵃ Forestam ex parte sinistra totũ residuũ. Et sic inde ꝑ quendã sikettũ qui vocatur Cavereswellebrok usq; ad longũ vadũ. Et inde per eundẽ sikettũ usq; ad pᵃtum quod vocatr Kavereshull. Et sic inde inter le Frith ꝛ boscũ qui vocatur Mouslee usq; ad domũ Walteri le Vineter in ꝑdca villa de Hanebergĥ ex parte occidentali domus ꝑdce. Et sic a dca domo usq; grangiam Robti le Eyr ex parte oriental. Et sic usq; Blowend ex ꝑte orientali bercarie ꝛ crofti Abbatis de Osneye. Et sic ꝑ mediũ Roweleye usq; fontem ubi Leyhambrok incipit ꝛ sic descendendo ꝑ Leyhambrok usq; ad Colneham. Et sic inde ubi Colneham descendit in aquã de Bladen. Et inde ꝑ eandẽ aquã de Bladen usq; Stuntesford. Et inde semper sicut vallis de Netleden se extendit inꝑ Stokhey ꝛ campũ de Stuntesfeld usq; Gerneleswode ꝛ sic usq; Rotherewell ꝛ sic inde directe inꝑ boscũ qui vocatr Erleswode de Bloxham ꝛ le Forsakenho. Et inde semꝑ ꝑ le Merewey ejꝰdẽ bosci usq; Dustlesfeld. Et sc ꝑ mediũ Dustlesfeld usq; Grimesdich ꝛ sic directe ꝑ dcm Grimesdich inꝑ boscum de Bloxham ꝛ boscũ de Spelesbury. Et sic de Grimesdiche ꝑ corneriũ bosci de Blox-

ham juxta boscū de Spelesbury usq; Dichelehegg̃ ꝛ sic directe de Dicheleye sicut haya extendit inter ꝑram Henr̃ de Dicheleye ꝛ ꝑram Agnetis de Bloxham usq; ꝑdc̃m Grimesdich in Dicheleye semper sicut divise extendūt inꝑ boscū de Bloxham ꝛ boscū de Ennestan qui vocat᷑ le Boxe. Et sic usq; Felleyeshegg̃ semꝑ sicut siket̃ extendit inꝑ boscū Almarici de Sc̃o Amando ꝛ boscū de Cudinton in Boxden usq; le Frithe. Et sic inꝑ le Frith ꝛ boscū dc̃i Almar̃ usq; Benteleye ꝛ sic directe inꝑ le Frith ꝛ boscū de Wottoñ usq; Poddeleye ꝛ sic directe ꝑ Regiā viam sicut extendit usq; domū Joh̃is de Slape in Wodestokeweye ꝛ sic directe inꝑ campū de Wottoñ qui vocatur Eldefeld ꝛ Gunnildegrove usq; ad murū parci de Wodestok'. Et sic ꝑ murū dc̃i parci usq; ad aq̃m que vocat᷑ Glyme. Et sic descendendo ꝑ eandem aquā usq; aq̃m de Bladene. Et sic ꝑ ꝑdc̃am aquā de Bladene usq; ꝑdc̃m pontem qui vocatur Bladenebrigg. Et sic inde in alia particula Foreste ꝑdc̃e que incipit videlicet ad Ripam de Bladene sup̃ Faueloresbrugg̃ includendo Forestā ex parte dext̃ ꝑ oñes bundas ꝛ metas subscriptas t̃ excludendo ext̃ Forestam ex parte sinistra totū residuū. Et sic ꝑ le Stoniweye usq; Finestok' ꝛ sic ꝑ med̃ ville de Finestok' ꝑ eandem viam usq; Gatesdene Heved̃. Et inde inꝑ le Newefrith̃ ꝛ le Hulwerk'. Et sic usq; le Wysok'. Et inde usq; le Mereweye. Et sic inde usq; Dockeslade Heved. Et inde usq; Stodleye ꝛ usq; capud orientale ville que vocatur Felde. Et sic inde inꝑ Hawe ꝛ Ewardesfeld̃. Et inde usq; Loveburyhurñ que extendit usq; Hulwerk'. Et inde semper ꝑ le Merewey usq; le Ellervestobbe. Et inde usq; Sewkedeñ. Et sic ꝑ Sewkedene usq; Sewkeford̃. Et sic usq; Losnegrave. Et inde usq; Westgrove. Et inde usq; Stokleye. Et inde usq; Mereweye. Et sic inde usq; Hemegrove. Et inde semper ꝑ le Mereweye usq; Tudevin. Et inde usq; Poreshull̃. Et inde usq; Frethelstoñ. Et inde usq; Quernhale. Et inde usq; Pochwele. Et inde usq; Cutteshacch̃. Et inde usq; le Forsakenho. Et sic usq; le Croswey ad capud de Prestesgrovesende. Et sic usq; la Launde de Prestesgrove. Et inde usq; Boynhale inꝑ cornerīū de Brestenhale ꝛ Boynhale. Et sic ad capud infimū de Brestenhale ꝛ ad capud occidentale del Hevedweye usq; capud de Smalstoneswey. Et inde ad capud occidentale de Scheꝑesho. Et inde usq; Waddoñ. Et inde usq; Cokschuteshull̃ inꝑ boscū dñi Regis ꝛ boscū quondam dñi Joh̃is filij Nigelli. Et s᷑ usq; Rouwereshull̃. Et inde usq; Hodleye. Et sic usq; Longeruggeyate inꝑ boscū dñi Regis ꝛ boscū Thome Golafre. Et inde usq; Asperleyehurñ. Et inde semper ꝑ le Merweye inꝑ boscum dñi Regis ꝛ boscum Thome Golafre. Et sic usq; Bykeresdeñ ad capud supius. Et sic semper inꝑ boscū ꝛ campū usq; novā crucc̃. Et inde usq; Lutleswadesyate. Et sic semper per boscum usq; le Puntfold de Cornbury. Et sic usq; Nunnechirche. Et inde usq; ad ꝑdc̃am aquā que vocatur Bladene. Et sic inde in alia particula Foreste ꝑdc̃e que vocatur Wytteneye que incipit videlicet apud Grimeshevedesdeñ. Et sic inde usq; ad domū Will̃i le Peskour includendo Forestam ex parte dextra ꝑ oñes bundas ꝛ metas subscriptas ꝛ excludendo extra Forestam ꝑdc̃am ex parte sinistra totū residuū ꝛ sic ꝑ divisas inꝑ ꝑram de Cogges ꝛ campū de Wytteneye. Et sic ꝑ divisas directe usq; ad viam que vocat᷑ Wodestokesweye. Et inde usq; ad Madlebrok'. Et inde usq; ad fontem de Madlewelle. Et sic ꝑ mediū ville de Northleye. Et sic inde ꝑ q̃ndam hayam usq; Sullesleye. Et inde usq; le Forsakenhok'. Et inde usq; Sigardesthorñ. Et sic usq; Nethergate. Et inde usq; Mirabelescroft. Et sic usq; ad domū Walteri Alfred. Et inde usq; Sawrode. Et sic usq; Scharpesterte. Et sic inde descendendo ꝑ Bisschopesdeñ usq; Tremaunemere. Et sic usq; Alkemannestrete. Et inde usq; Colneyshacch̃. Et sic usq; Spondeñ. Et sic usq; ad aquā de Wenrysh̃. Et sic descendendo ꝑ eandc̃ aquā usq;

Grimesmede. Et sic inde usq; Wytteneye. Item juratores dicūt qđ Maneriū de Eynesham cū Hamelettis boscis ꝛ oñibꝫ aliis adjacentibꝫ q°d est Abbis de Eynesham. Et Maneriū de Norhtleye quod est Abbis de Natele cū menbris ꝛ boscis adjacentibꝫ. Et Maneriū de Staunton Harecourt cum menbris ꝛ boscis adjacentibꝫ quod est Johis de Harecourt ꝛ Johis de la Wade. Et Maneriū de Cogges cū menbris ꝛ boscis adjacentibꝫ quod dña Isabella de Grey tenet in dotē. Et Hamelettum de Wyvelecote cū bosco adjac̃ quod est Robti le Botiller. Et Mañiū de Ministr̃ cū boscis adjacenť quod est Johis Lovel. Et Maner̃ de Asthall cū menbr̃ ꝛ bosc̃ adjac̃ quod est Edmundi filij Ric̃i de Cornub. Et Hameletť de Swinebrok' cū bosc̃ adjacenť quod tenēt Comes Gloucestr̃ noïe Custoď heredis Aveline de Lega Jacobus de Crawele Cancellarius Saꝛ noïe prebende sue Ecclie Saꝛ ꝛ heres Willi de Hoo quilibet ꝑ rata porc̃ois sue fuerūt afforestať post coronac̃ dñi H. R. pavi dñi Regis nūc ad tale dampnū videlicet qđ nec iꝑi nec eoꝛ antecessores seu ꝑdecessores post temp⁹ p⁹dc̃m usq; nūc nich de boscis ꝑdc̃is capere potūūt nisi ꝑ liberac̃oem Forestarioꝛ ꝛ ad eoꝛdē Foresť voluntatē nec aliud ꝑficuū de eisdē boscis recipe sicut prius here ꝛ facere consueverūt ante tempus coronac̃ois dñi H. Regis ꝑdc̃i absq; attachiamento ꝛ impedimc̃to forestarioꝛ ꝑdc̃oꝛ. Item dicūt qđ Maner̃ de Folebrok' cū menbris ꝛ bosc̃ adjac̃ q°d est Epi Cōventreñ ꝛ Lich fuit afforesť ut sup̄ ad dampnū ut prius. De quibꝫ boscis bosci de Losnegrove Purveaunce Westgrove ꝛ Whitele sūt in manu dñi Regis nūc ꝑꝑ vastū fc̄m in tempore Regis H. pr̃is Reg̃ nūc. Et alia pars dc̃oꝛ boscoꝛ est in manu ꝑdc̃i epi. Item dicūt qđ Maner̃ de Teynton cū bosc̃ adjacenť quod est Prioris de Derehurst. Et Maner̃ de Schipton cū menbr̃ ꝛ bosc̃ adjac̃ quod est Com̃ Gloucestr̃. Et boscus Rectoris Ecclie de Schipton. Et Maner̃ de Astcote quod est Rog̃i Duylly cū bosc̃ adjac̃. Et Maner̃ de Podelicote cū menbris ꝛ bosc̃ adjac̃ quod est Robti de Hoo. Et Maner̃ de Certedeñ quod est Thome Golafre cū boscis adjacenť. Et Maner̃ de Chadelington quod est in parte dñe Isabelle que fuit uxor dñi Johis filij Nigelli cū bosc̃ adjac̃ simł cū Man⁹io Ric̃i Douvyll in eadē. Et Maner̃ de Spelesbury cū menbr̃ ꝛ boscis adjac̃ quod Comitissa Warr̃ tenet in dotē. Et Maner̃ de Cherlebyry cū menbr̃ ꝛ boscis adjac̃ ꝑut bunde ꝛ mete supius testant̄ in Incepc̃oe scde particule Foreste sup̄dc̃e videlicet ubi fit mentio de Finestok' q°d est Abbis de Eynesham. Et boscus Abbis de Wynchecombe qui vocatur le Boxe ꝑtinēs ad Man⁹iū de Enestan simł cū Hameletť qui vocat̄ Net Enestan ꝛ illa ꝑte Hamletti de Clivele que est ex parte occidentali rivuli qui vocat̄ Glyme. Et Hameletť de Asterle ꝛ Ov̄e Cudyntoñ cū boscis adjacenť qui sūt Henr̃ de Willamescote. Et boscus ꝑtinēs ad Man⁹iū Abbis de Oseneye de Cudlington. Et boscus ꝑtinens ad Man⁹iū de Glymtoñ qui est Johis de Sc̃ō Joħe. Et boscus qui vocat̄ le Frith ꝑtinēs ad Man⁹iū Magr̃i Thome de Abberbury in Glympton fuerūt afforesť ut sup̄ ad dampnū ut sup̄. Item dicūt qđ boscus qui vocat̄ Prestegrove qui quondā fuit Rectoris ecclie de Schiptoñ fuit afforesť ut sup̄ ad dampnū ut sup̄. Et modo est in manu dñi Reg̃ nūc ꝑꝑ vastū fc̄m tēpe dñi H. Reg̃ pr̃is Regis nūc. Itē dicūt qđ boscus de Stokheye qui fuit Jacobi le Blund de Fauelore fuit afforesť ut s̄ ad dāpnū ut sup̄. Et modo est in manu dñi Regis ꝑꝑ vastū fc̄m tempore Regis H. ꝑdc̃i. Et dicūt ꝑdc̃i Jur̃ oñes ꝑdc̃os boscos esse afforesť post coronac̃oem dñi H. Regis ꝑavi dñi Reg̃ nūc ꝑut intellexerūt ꝛ intelligūt ex relatu antecessoꝛ suoꝛ ꝛ alioꝛ ꝑboꝛ hoïm ꝛ ꝑ coēm famā patrie ꝛ ꝑ oñes villatas ꝑdc̃e Foreste ꝑpinquius adjacentes.

No. 2.

FORESTA DE WHICHWOOD IN COM̃ OXON̄.[a]

Inquisic̃o indentat̃ capt̃ apud Burford duodecimo die Octobris anno Regni Dñi nr̄i Caroli Dei grac̃ Anglie Scotie Franc̃ et Hib^{o}nie Regis Fidei Defens̄ &c. decimo septimo coram Thoma Comite Berk' Willo Vicecomite Say & Seale Willo Lenthall ar̃ ꝑloqutore Domus Comm̃ Parliamenti Jacobo Fyennes ar̃ Thoma Penyston milit̃ & baronet̃ Joh̄i Curson mit Rob^{o}to Dormer mit Thoma Hourd mit Thoma Coghill mit Francisco Norris mit Bulstrode Whittlock Joh̄e Doyley Anthō Hungerford Joh̄e Whistler Henrico Jones Adreano Scroope et Joh̄e Osbaston armigeris Com̃issionar̃ dc̄i Dñi Regis ꝑ Lr̃as Patentes ejusdem Dñi Regis sub Magno Sigillo suo Anglie sigillat̃ gerē dat̃ apud Westm̃ tricesimo die Augusti anno Regni dc̄i Dñi Regis decimo septimo sup^{a} dc̄o Com̃issionar̃ sup^{a} dc̄is et alijs Com̃issionar̃ ejusdem Dñi Regis direct̃ et huic Inquisic̃oni annex̄ ad inquirend et inveniend ꝑ Inquisic̃onem ꝑbo^{z} et legaliū hoīum sup sacr̃um suum et ꝑ sacr̃um testium pducend et ꝑ oc̄s alios modos legittimos oc̄s et singulos terminos metas bundas et limites Foreste dc̄i Dñi Regis in Com̃ Oxon̄ ꝑd̄ qui fuer̃ vulgariter cognit̃ fuisse termini mete bunde et limites dict̃ Foresť Anno Regni Dñi Jacobi nup Regis Anglie &c. vicesimo juxta tenorem cujusdam actus in ꝑsenti Parliament̃ apud Westm̃ in Com̃ Midd̄ modo assemblat̃ edit̃ et ꝑvis̄ intitulat̃ An Act for the Haynetie of Forests and of the meets meares limits and boundes of the Forests, et ad oīa alia & singula faciend et ꝑimplend in et circa Inquisic̃onem ꝑd̄ capiend et retornand ejusdem faciendque juxta tenorem dc̄i Actus faciend fuit faciend et ꝑimplend assignat̃ in ꝑsenciâ Henrici Comitis Danby locū tenen̄ Foreste de Whichewood ꝑd̄ Joh̄is Lacy mit et Joh̄is Fetiplace ar̃ Veredario^{z} ejusdem Foreste Willi Lenthall Senescalli Foreste ꝑd̄ Actoñ Drake ar̃ Rangiatoris dc̄e Foreste Joh̄is Wells Joh̄is Sparrowe Thom̃e Reive Steph̄i Reive Steph̄i Brice Jacobi Clarke et Humfrid̄ Smyth Custod̄ dc̄e Foreste et Joh̄is Moore gen̄ Willi Whiteinge gen̄ Nich̄i Clarke Ric̄i Harris Willi Lardner sen̄ Thome Marten Edr̄i Rawlins & Ric̄i Gyles Regardator̄ Foreste ꝑd̄ et alio^{z} officio^{z} Foreste ꝑd̄ execut̃ ejusdem Com̃issionis assisten̄ et attendend reliquis officiar̃ ejusdem Foreste ad hoc prius ꝑmonitis sed execuc̃oni inde mīe assisten̄ sive attenden̄ ꝑ sacr̃um Willi Sheppard ar̃ Joh̄is Denton ar̃ Joh̄is Fitzherbert ar̃ Joh̄is Parsons gen̄ Woodhal Streete gen̄ Joh̄is Greene genet̃ Humfri Wickam ar̃ Edr̄i Taylor ar̃ Thome Chamberlaine ar̃ Georgij Greenwood gen̄ Henrici Cornish gen̄ Thome Turner gen̄ Ric̄i Sawyer gen̄ Francisci Turner gen̄ et Joh̄is Godwell jun̄ gen̄ ꝑbo^{z} et legaliū homiū com̃ ꝑd̄ qui quidem jur̃ jurati et on^{a}ti ad inquirend et inveniend qui fuer̃ termini mete bunde et limites Foreste de Whichwood ꝑd̄ qui fuer̃ vulgariter cognit̃ fuisse termini mete bunde et limites ejusdem Foreste Anno Regni dc̄i Dñi Jacobi nup Regis Anglie &c. vicesimo sup^{a} dc̄o di^{v}sis testibus fide dignis jurat̃ et at̃ evidenc̃ pduct̃ dicunt sup sacr̃um suum quod termini bunde mete et limites ejusdem Foreste qui fuer̃ vulgariter cognit̃ fuisse termini mete bunde et limites ejusdem Foreste anno vicesimo sup^{a} dc̄o incipiunt apud locum coīter vocat̃ Wittall Stile in australi angulo Anglicè the South Corner campi vocat̃ Wallcott Feild ꝑx̄ adjacen̄ muro parci vocat̃ Cornburie Parke

[a] From the original in the Petty Bag Office.

et sic p murum ejusdem parci usq; locum vocat̃ Patchill Gate Corner ꝛ sic p murum ibm usq; copiciam vocat̃ Padise Coppice. Et sic p haiam et fossam vocat̃ Padise Hedge usq; campum vocat̃ Lurden Feild et sic p haiam et fossam ejusdem campi usq; ctm vocat̃ Eight Acres ꝛ sic p haiam et fossam ejusdem cti usq; januam vocat̃ Rode Gate et sic p haiam ꝛ fossam cti vocat̃ Bene Hedge alꝑ Bennetts Hedge usq; januam vocat̃ Gaddinge Gate alꝑ Gatesdene hend excludend oĩes metas p̃d ex pte sinistra extra Forestam p̃d et sic p coẽm Regiam viam in Ramsden Heath alꝑ Hulwerk duceñ a burgo de Woodstock v̄sus villam de Burford ad stagnũ vocat̃ Duckpoole ꝛ sic p viam p̃d usq; locum vocat̃ Five Oake alꝑ le Wyseoke et sic p viam illam ad caput loci vocat̃ Dock Slad Bynett alꝑ Dock Slad End et sic per viam illam usq; ad januam ville de le Feild coĩter vocat̃ Studlye alꝑ Stodlye includend metas p̃d ult̃ menc̃onat̃ ex pte dextra infra Forestam p̃d et sic p haiam ꝛ fossam cti vocat̃ Little Sarte et sic p haiam et fossam cti vocat̃ Kinges Sarte ꝛ sic p haiam et fossam cti vocat̃ Grasse Closse ꝛ sic usq; januam vocat̃ Hatching Lane Gate ꝛ sic p haiam ꝛ fossam cti vocat̃ Hollow Oake Close usq; Hasill Stile ꝛ sic usq; finem venelle vocat̃ Holland Lane ꝛ sic usq; januam vocat̃ le Feild Greene Gate ꝛ sic usq; angulum cti vocat̃ Cow Close Corner ꝛ sic p haiam ꝛ fossam cti vocat̃ Cow Close Hedge usq; lapidem vocat̃ Hore Stone in loco vocat̃ Gadley ꝛ sic usq; locum vocat̃ Cleysart Corner ꝛ sic p haiam ꝛ fossam vocat̃ Cleysart Hedge usq; januam vocat̃ Gadley Gate ꝛ sic p haiam ꝛ fossam vocat̃ Watcham Sarte Hedge usq; locum vocat̃ Lowborow alꝑ Loueburie Corner excludend metas ult̃ menc̃onat̃ a Foresta p̃dc̃a ex pte sinistra et sic p viam inter boscum Dñi Regis et copitiam vocat̃ Lowborow alꝑ Loueburie Coppice usq; locum vocat̃ Lillies Crosse ꝛ sic p locum vocat̃ Fordwell Bottome alꝑ Duckpoole Bottome alꝑ Sukedene p lapides metas antiquas includend p̃dc̃as metas in Forestam p̃d ex pte dextra et in via inter boscum Dñi Regis et dc̃am copiciam vocat̃ Lowborow alꝑ Loueburie Coppice usq; Fordwell Poole alꝑ Duckpoole alꝑ Sewkeford et sic p Regiam viam duceñ v̄sus villam de Burford p̃d p locum vocat̃ Puntus alꝑ Pumbas Corner ꝛ sic p viam vocat̃ le Meere Way inter boscum Dñi Regis et boscum vocat̃ Westgrove alꝑ Westgrove Coppice usq; locum vocat̃ Rowstidge Corner et sic p viam vocat̃ Rowstidge Way inter boscum Dñi Regis vocat̃ Rowstidge Coppice et boscum vocat̃ Hengrove alꝑ Hemegrove usq; locum vocat̃ Elderne Stumpe ꝛ sic inter locum vocat̃ Ladyham et boscum Dñi Regis usq; locum vocat̃ Ladyham Corner in Hengrove alꝑ Hemegrove p̃d ꝛ sic p boscum vocat̃ Hengrove Coppice alꝑ Hemegrove Coppice usq; locum vocat̃ Hengrove Coppice Corner ꝛ sic usq; crucem in South Lawne vocat̃ Tudvin alꝑ Tudhill Crosse ꝛ sic inter boscos vocat̃ Tainton Woods ꝛ boscum Dñi Regis includend domũ vocat̃ Burford Launde Lodge infra Forestam p̃d ex pte dextra ꝛ oĩes metas p lineã rectã usq; lapidem vocat̃ Frethelstone et sic usq; januam vocat̃ Frethelstone Hatch alꝑ Shippengate et sic usq; angulum coĩter vocat̃ Langley Corner p murum vocat̃ Langley Wall usq; locum vocat̃ Langley Pound ꝛ sic usq; januam vocat̃ Little Langley Gate ꝛ sic usq; angulum vocat̃ Furfield Corner et sic usq; locum vocat̃ Shakenhoe alꝑ Forsakenhook alꝑ Cutchatch Gate et sic p murum ibm usq; locum coĩter vocat̃ Priestgrove Corner alꝑ Priestgroves End p̃x adjaceñ loco vocat̃ Balls Acre excludend omnes metas ult̃ menc̃onat̃ ex pte sinistra a Foresta p̃d et sic in medio vallis inter boscum Dñi Regis vocat̃ Shakenhoo alꝑ Forsakenhoe et copiciam vocat̃ Priest Grove usq; lapidem vocat̃ Horestone et sic p locum vocat̃ Woofeild Greene alꝑ Priestgrove Lawne inter boscum Dñi Regis vocat̃ Bunstock et aliũ boscum Dñi Regis vocat̃ Kinges Wood ꝛ boscum vocat̃ Boynall usq; locum coĩter vocat̃ Kinges Wood Stile et sic usq; locum vocat̃ Braswell alꝑ Brastenhall Pointe alꝑ Braswell alꝑ Brastenhall

Corner ⁊ sic inter boscum Dñi Regis ⁊ campum ville de Ascott usq; januā vocat̃ Braswell ałs Brastenhall Gate ⁊ sic usq; angulum vocat̃ Small Stone Corner ⁊ sic usq; locum vocat̃ Smallstone Stile ⁊ sic usq; locum vocat̃ Hawkewell Bottome ⁊ sic ꝑ haiam ⁊ fossam campi ville de Chilston usq; Waddon Greene ⁊ sic inter boscum Dñi Regis ⁊ copiciam vocat̃ Kington Coppice unde occidentalis ꝑs inde fuit boscū quondam Dñi Joħis filij Nigelli et orientalis ꝑs inde fuit boscū Thome Golafre usq; Cockshoote Hill ⁊ sic usq; angulum vocat̃ Cockshoote Hill Corner ⁊ sic ꝑ haias ⁊ fossas copic̃ p̊đ vocat̃ Knighten Coppice excludenđ a Foresta p̊dc̃a ex ꝑte sinistra oẽs metas ult̃ menc̃onat̃ ⁊ sic ꝑ viam vocat̃ le Meere Way inter boscum Dñi Regis et p̊đ copiciam vocat̃ Knighton Coppice usq; Biggersden Corner ⁊ sic usq; januam vocat̃ Biggersden Gate ⁊ sic usq; januam vocat̃ New Crosse Gate ałs Dampoole Gate ⁊ sic usq; januā vocat̃ Little Wades Gate ałs Walcott Gate ⁊ sic ꝑ haiam ⁊ fossam campi vocat̃ Walcott Feild Hedge usq; p̊dc̃um locum vocat̃ Wittall Stile ubi mete ⁊ bunde Foreste p̊đ incipiunt excludenđ a Foresta p̊dc̃a oẽs metas ult̃ menc̃onat̃ ac includenđ infra Forestam p̊đ totum ex ꝑte dextra ⁊ excludenđ extra Forestam p̊đ totum ex ꝑte sinistra. In cujus rei testimoniū tam p̊fat̃ Com̃issionar̃ q̃m p̊fat̃ Jur̃ sigilla sua p̊ñtibꝫ apposuer̃ die ⁊ anno sup^a dc̃is.

Thomas Penyston (L.S.) John Whistler (L.S.) John Osbaston (L.S.)
Fra. Norreys (L.S.) Henry Jones (L.S.)

William Sheppard
John Denton
John Fitzherbert
Tho. Chamberlayne
Humphry Wycham
Woodholl Streete
Edward Taylor

Henry Cornish
George Greenwood
Frauncis Turner
Richard Sayer
John Parsons
John Dodwell
John Greene
Tho. Turner.

XXVII.—*The Temple of Serapis at Pozzuoli.* *By* Sir Edmund Head, *Bart.* *Communicated to the President through Professor* Babbage, *F.R.S.*

Read 10 Dec. 1857.

There are three questions of an antiquarian character connected with the so-called Temple of Serapis at Pozzuoli, which may be important in discussions relating to the geological phenomena exhibited by that celebrated building. These are:—

1st. Was it a temple of Serapis?

2nd. Its probable age?

3rd. Can any light be thrown upon its history, or on the dates of the various changes of level?

The existence of a temple of Serapis at Pozzuoli is probable in itself. It matters not whether Serapis was a deity originally Egyptian, or whether he was a strange god from Sinope thrust into the place of Osiris by Ptolemy Soter.[a] His worship became the prevailing one at Alexandria,[b] and spread from that commercial city to all the countries with which it was connected. When Pausanias wrote, the deity was established in almost every part of Greece.[c] We find him at Rome in the time of Catullus,[d] and we should certainly look for a temple to him at Puteoli, the regular port for which the fleets of Alexandria steered.[e]

The direct evidence that such a building existed is of several kinds. In the first place, there is the celebrated inscription—the "Lex parieti faciundo"—which speaks expressly of such a temple, and contains in fact the specifications of a contract for some work to be done in the neighbourhood of it. This inscription is on marble;

[a] See Tacitus, Hist. iv. 82.

[b] If Hadrian's Letter, quoted by Vopiscus in his life of Saturninus (Historiæ Aug. Scriptores), is to be trusted this worship had contaminated even Christianity and Judaism. Compare Gibbon, c. xxviii. n. 42.

[c] Pausanias's work occupied many years. He flourished in the reign of Hadrian, but his 8th Book was written after A.D. 176. (See Clinton, Fasti Rom., years 125-176.) Cf. Pausanias, i. 18. 4; ii. 4. 6; II. 38. 10; iii. 14. 5. (*νεώτατον τοῦτο Σπαρτιάταις ἱερόν*). iii. 25. 10; iv. 32. 6; vii. 21. 13; ix. 24. 1.

[d] Catullus, x. 26.

[e] Strabo (xvii. I.) speaking of the exports of Alexandria exceeding the imports, says, *γνοίη δ' ἄν τις ἔν τε τῇ Ἀλεξανδρεία καὶ ἐν τῇ Δικαιαρχίᾳ γενόμενος ὁρῶν τὰς ὁλκάδας.* Compare Seneca, Epist. lxxvii. Suetonius, Octav. 98. Acts of Apostles, xxviii. 11—14.

it was published by Gruter (207), and is at present in the Museo Borbonico at Naples. Its genuineness has been attacked by Maffei, and has been successfully defended by Cognolato,[a] in his preface to Facciolati, by Marquez, by Guarini, and by Zannoni.[b] I have not seen the defence of Marquez or Guarini, nor that referred to by Orelli as successfully made by Zaciaria.[c] It may be sufficient, however, to say, that both the reasoning and the authorities appear to me to preponderate greatly in favour of the genuine character of this marble. The fact which it establishes, if it be genuine, is simply that in the year of the city 649,[d] (105 B. C.) a temple of Serapis actually existed at Puteoli.

There is next the fact that a statue of Serapis, now in the Museo Borbonico, is said to have been found in the very building of which we are speaking, and that a head, probably of the same deity, has more recently been found in the neighbourhood. This latter relic was exhibited by Sir Charles Lyell, at the Royal Institution, when he delivered his lecture on the Temple of Serapis in March 1856. The statue, however, it appears, was not discovered in the place which the presiding deity of the temple might be supposed to occupy, but was mixed up with a number of antique figures and fragments scattered in various parts of the building. The Canon Iorio conjectured that, after the Temple ceased to be used for worship, it had become a sort of receptacle for statuary lumber of various kinds.

No very conclusive inference could therefore be drawn from these two sculptural objects alone as to the identity of the building with the Temple of Serapis, though they very strongly confirm the fact that such a Temple existed at Puteoli.

The construction of the building itself is the strongest argument in support of its being dedicated to Serapis. In the two books of ecclesiastical history written by Rufinus as a continuation of Eusebius, we have a description of the Temple of Serapis near Alexandria, which may be supposed to have served as a type for edifices, on a smaller scale, dedicated to the same god elsewhere. The passage is as follows:[e]—"Serapis apud Alexandriam templum auditum quidem omnibus puto: plerisque vero etiam notum: locus est non naturâ, sed manu et constructione per centum aut eo amplius gradus in sublime suspensus, quadratis et

[a] English Ed. Præf. p. 14.

[b] L'Antico marmo scritto appartenente alla Colonia di Pozzuoli. Firenze, 1826.

[c] Orelli, Inscript. Collectio, vol. ii. p. 154, No. 3697.

[d] The year before Marius's triumph over the Cimbri.

[e] Rufinus, II. 23. Rufinus visited Alexandria about 371 A.D. The Serapeum was destroyed in 390.

ingentibus spatiis omni ex parte distentus. Cuncta vero quo ad summum pavimentorum evadatur opere forniceo constructa, quæ immensis desuper luminaribus et occultis aditibus invicem in semet distinctis, usum diversis ministeriis et clandestinis officiis exhibebant. Jam vero in superioribus extrema totius ambitûs spatia occupant exedræ et pastophoria,[a] domusque in excelsum porrectæ, in quibus vel æditui, vel hi quos appellabant ἀγνεύοντας, i.e. qui se castificant, commanere soliti erant. Porticus quoque post hæc omnem ambitum quadratis ordinibus distinctæ intrinsecus circumibant. In medio totius spatii ædes erat pretiosis edita columnis et marmoris saxo extrinsecus amplè magnificèque constructa. In hâc simulachrum Serapis ita erat vastum ut dextrâ unum parietem, alterum lævâ perstringeret."

Ammianus Marcellinus[b] speaks of the same edifice as "atriis columnariis amplissimis exornatum," and places it next to the capitol in dignity. In fact it served as a fortress when Olympius retreated to it as the stronghold of paganism, during those tumults which led to the destruction of the Temple itself under Theodosius.[c]

I take the small chambers of the Temple of Pozzuoli, with their entrances, alternately external and internal, to represent the "exedræ" or "pastophoria" of Rufinus. According to the Canon Iorio there are traces of bolts on the thresholds of some of the internal ones, but none on those which face outwards. The inside chambers too have been decorated with marble panelling, of which no trace is visible in the others. Some of these chambers may have been used as ordinary bath rooms, whilst a portion of those on the inside may have served as sleeping rooms for votaries who passed the night in the temple, in order to obtain a revelation respecting their own health or that of their friends.[d]

At Pozzuoli a building of some sort occupied the centre of the area. Whether,

[a] There is difficulty in ascertaining the precise meaning of these words. Exedra occurs in a passage of Ulpian, Dig. ix. tit. 3. l. 5. "Ex cujus cubiculo vel exedrâ dejectum est." Gothofriedus interprets it "cella, qualis sunt cellæ monachorum." It seems to mean a sitting-room, as opposed to "cubiculum." The kindred word "exhedrium" appears to have the same application in Cicero's Letters (ad Famil. vii. 23). "Pastophorion" may be the apartment of a "pastophorus," or priest who wore the παστόν, the sacred robe, or a chamber veiled with a curtain closing the entrance. These chambers, and the subterranean arrangements connected with them, afforded the means of carrying on such impostures as that practised on Paulina in the temple of Isis. See Josephus, xviii. c. 4. Compare Gibbon, ch. xxviii.

[b] xxii. 16.

[c] See Gibbon, c. xxvii. Sozomen, vii. 15.

[d] See Strabo, B. xvii. c. i. ὥστε τοὺς ἐλλογιμωτάτους ἄνδρας πιστεύειν καὶ ἐγκοιμασθαι αὐτοὺς ὑπὲρ ἑαυτῶν ἢ ἑτέρων. He afterwards describes the utter abandonment of all restraint on the crowds who flocked from Alexandria to Canopus to this temple of Serapis—ἀνέδην μετὰ τῆς ἐσχάτης ἀκολασίας.

as in Egypt, the image of the god was placed there, or behind the four columns to which the ruin owes its modern celebrity, may be uncertain. The lowness of situation must have deprived our temple of subterranean passages, and the underground arrangements so elaborately provided in the Egyptian model. The possession, however, of a natural hot spring just behind the temple must have made up for many disadvantages. No appendage could be more appropriate for the temple of a god who among his many attributes usurped those of Æsculapius.[a]

This warm spring, however, suggests another curious question with reference to a passage in Pausanias. After mentioning several cases of fresh springs in the sea, and the hot springs in the channel of the Mæander, Pausanias proceeds as follows:[b]—"Before Dicæarchia of the Tyrseni (Pozzuoli) there is water boiling up in the sea, and for the sake of it an island made with hands, so that not even this water is wasted, but serves people for warm baths."

May not this spring be the very one now existing behind the Temple of Serapis?

Had the hot spring of Pausanias originally discharged itself into the sea, it does not seem likely that it would have been used at all; but if its virtues had been long known to the inhabitants of Pozzuoli, and a gradual encroachment of the sea, or rather a depression of the land, deprived them of the benefit of the baths to which they had become accustomed, what could be more natural than that a small mound or island should be made by hand in the shallow water, in order that the baths might be again available?

Pausanias does not indeed say that these baths were connected with a temple of Serapis, but this is immaterial.

On this theory a number of curious questions present themselves.

Which is the pavement of the building existing at the time of Pausanias? What, relatively to the floor as now seen, was the level of the original building submerged in the sea? Is it represented by the mosaic pavement found five feet below the floor of the temple? If so, it would be important to examine the soil between the two pavements, and to ascertain whether it appears to warrant the supposition that it was a part of a mound constructed artificially.

The intervention of the hand of man in filling up or raising this spot of ground, may complicate most materially the solution of the several changes of level.

[a] Tacitus, Hist. iv. 84.

[b] Pausanias, viii. 7. 3. *Πρὸ Δικαιαρχίας δὲ τῆς Τυρσηνῶν ὕδωρ τε ἐν θαλάσσῃ ζέον, καὶ νῆσος δι' αὐτό ἐστι χειροποιήτος, ὡς μηδὲ τοῦτο τὸ ὕδωρ ἀργὸν εἶναι, ἀλλὰ σφισι λουτρὰ θερμά.*

It should be stated that, according to the general notion, mosaic pavements were not in common use at Rome before the time of Sylla—that is, about eighty years before Christ;[a] but it does not follow that a mosaic pavement may not have been added after that date to a building existing before it: so that the mosaic pavement in question may have been part of the Temple of Serapis mentioned in the "Lex Parieti faciundo." Pausanias lived in the time of Hadrian, as has been already stated,[b] and, according to this view, the submergence of the first baths or temple must have taken place between the time of Sylla and that date. We cannot, I presume, suppose that a mosaic pavement would be originally laid under water.

The level below the water of the Mediterranean of the old mosaic pavement must correspond pretty accurately with that of the base of the columns of the submerged "Temple of the Nymphs" in the neighbouring bay. Did this submergence take place at the time of the great eruption of Vesuvius which overwhelmed Pompeii and Herculaneum, A.D. 79?

Statius was born A.D. 61,[c] and was therefore about nineteen at the time of the eruption of 79. As a native of Naples he may be presumed to have been conversant with all the phenomena which then took place. His lines on the subject of the destruction of the cities are very striking.[d]

"Hæc ego Chalcidicis ad te, Marcelle, sonabam
Littoribus, fractas ubi Vesvius egerit iras,
Æmula Trinacriis volvens incendia flammis.
Mira fides! credetne virûm ventura propago,
Cum segetes iterum, et jam hæc deserta virebunt,
Infra urbes, populosque premi? proavitaque toto
Rura abiisse mari? necdum letale minari
Cessat apex——"

The latter part of this passage seems to me to mean "lands tilled by our ancestors (proavita) have disappeared in the body of the sea" (toto mari). The commentator in the Variorum edition (Lugd. Bat. 1671) appears to understand the word "proavita" as referring to the restoration of these districts hereafter "proavita dicit respectu futuræ posteritatis"—which seems to me absurd. How

[a] Pliny, Hist. Nat. xxxvi. § 64, "Lithostrota cœptavêre (acceptavêre) jam sub Sullâ."

[b] See above, note c, p. 441.

[c] Baehr, Gesch. der Röm. Lit. 1. 3. 155.

[d] Sylvæ, iv. § 4, 78.

were posterity to get the lands out of the sea again? Such is not the use of the word when applied to Hector. :—

"Pugnantem pro se, proavitaque regna tuentem."

Ovid. Metamorph. xiii. 416.

I infer from the expressions of Statius that considerable tracts of land had been sunk in the sea by some sudden depression of the ground.

May not this have been the time when the Temple of the Nymphs, and the first baths or temple of Serapis, were covered with shallow water? Is it not possible that between this convulsion and the time when Pausanias wrote the inhabitants of Pozzuoli may have made the island in the sea (χειροποίητον), and have erected on it a second temple—the one of which the ruins still puzzle the geologist?

It may be worth while adding, that there exist three fragments of Latin verse,[a] by a certain Regianus (or Regilianus), whose age does not appear to be known. One of these is entitled "de Baiis," another is "de Thermis." The latter contains this line—

"In regnis, Neptune, tuis Vulcanus anhelat."

Considering the proximity of Baiæ to Puteoli, it is not improbable that this last verse may refer to the baths described by Pausanias.

[a] Anthol. Lat. Meyer, No 536.

XXVIII.—*Specimens of Marks used by the early Manufacturers of Paper, as exhibited in Documents in the Public Archives of England. Communicated by* Joseph Hunter, *an Assistant-Keeper of the Public Records, and a Vice-President of this Society.*

Read February 18, 1858.

The title which has just been read to you will shew that it is not my intention to enter into the inquiry which has been so learnedly conducted by others, into the various substances which have been used for the purposes of writing, and the times when one substance became superseded by another which was found more suitable to the purpose.

I go back no farther than to the time when a material was formed of linen or cotton or of the two intermixed, which is the radical distinction of our modern paper from other substances (such as the papyri, the palm-leaves, the fabric supposed to be formed from fibrous matter found in the mummies of Egypt,) which were in ordinary use in Europe: and even here I do not pretend to investigate the difficult if not unresolvable question in what countries of Europe it was first brought into use, or to what nation we owe the person who first perceived how a material so well adapted to its great purpose could be constructed out of substances so abundant and so easily obtained. These are inquiries which the antiquaries of the continent are so much more favourably situated than we are to conduct, that we may be content to leave to them the researches which are required, and to receive from them the results at which they arrive.

I treat it as a subject purely English, just as I treated the subject not long ago of the manufacture of gunpowder, drawing my proofs from our own documents as far as they will enable me to go, and leaving it to others to shew what the French, the Italian, or the German antiquaries have written on the same theme.*

* It is possible that the following early notice of paper-marks, to which my attention has been drawn by a learned member of this Society, may have escaped the observation of those who have devoted themselves to this inquiry in all its departments; nor is it quite certain that it relates to paper manufactured from linen

Nor is it my intention to give any account of the successive changes which have been made in the art; improvements I ought rather to say, for the earlier specimens are something very different from the fine fabrics now in use, or that which was employed by the printers of the earliest age. The paper first seen in England and used for the purpose of writing was exceedingly thick, more approaching to what we call paste-board, yet capable of receiving and retaining in a perfectly legible state whatever was committed to it, even when through exposure to moisture it had undergone a partial decomposition. The successive improvements in the art, I may observe, do not constitute an English question: the paper found in England of any early date being all of foreign manufacture, and when in the reign of Elizabeth a paper-mill was set up at Dartford, it is said to have been by a German.

Mine is a much narrower subject; and even this I do not pretend to exhaust, as I shall not travel beyond the specimens laid upon the table, which have been all taken from originals in the depositaries of the Exchequer.[a] Bagford speaks of a letter from the King of Spain to King Edward the First, which is on what he calls "a species of paper," and is of an earlier date by twenty years than any paper that has fallen under my own notice; and I should not be at all surprised if additions of value may be made to what I here bring before the Society.

This is not the first time that this Society has received a communication on the subject of these marks. In the year 1795, Mr. Denne, a greatly respected name in the regions of archæology and an honoured Fellow of the Society, brought several specimens, and his remarks upon them were thought worthy of being printed in

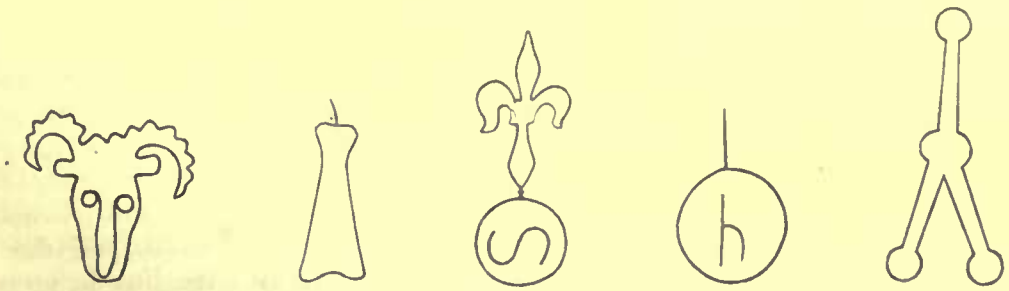
or cotton material. The author is Bartholus, who wrote in the middle of the 14th century, and the treatise of his in which the passage is to be found was entitled by Bisshe, who published it in 1654 in the supplementary matter to his edition of Upton, "Tractatus de Insigniis et Armis." It occurs at p. 10, and we learn from it two important facts, (1) that there was a celebrated manufactory of paper, "chartas de papyro," in the Marches of Ancona; and (2) that the manufacturers were accustomed to use certain marks, to which a value was attached, and that these marks were subjects of conveyance with the places where they were used. The words of the author, writing perhaps about 1360, are these:—"Et hic advertendum, quandoque sunt signa quædam artificii, in quibus principaliter operatur qualitas loci. Exemplum, in Marchia Anchonitana est quoddam nobile castrum, cujus nomen Fabrianum, ubi artificium faciendi chartas de papyro principaliter viget, ibique sunt edificia multa ad hoc, et ex quibusdam artificiis meliores chartæ veniunt, licet etiam ibi faciat multùm bonitas operantis, et ut videamus hic quodlibet folium chartæ habet suum signum, per quod significatur cujus edificii est charta. Dic ergo quod isto casu apud illum remanebit signum, apud quem remanebit ædificium ipsum, in quo fit, ut sive jure proprietatis, sive jure conductionis, sive in mala fide remaneat toto tempore, quo realibus."

[a] The woodcuts in the following pages represent these marks reduced from these drawings to ½-scale, linear.

the Archæologia (vol. XII. p. 114—131): but his specimens, which were taken from papers in an old room at Rochester, were none of them of an earlier date than the year 1473. Those which are found on the paper of the Paston Letters carry us back to about 1440, thirty years earlier: of these there are engravings in Sir John Fenn's publication, and Mr. Denne's specimens are engraved in the Archæologia.

It would appear from the evidence of documents which have fallen under my notice, that there was a period in the history of the manufacture of paper before the use of the marks. For the earliest specimen of paper I have seen, is a MS. account-book of the year 1302, the paper of which has no mark at all; and in the paper books in series from that date to 1330, there are no indications of the use of any such marks. These are all books of account rendered to the English Exchequer by officers employed in the administration of the affairs of Aquitaine, and prepared, according to all probability, at Bordeaux.

Wehrs, a German writer on this subject, had seen no specimen of linen or cotton paper of an earlier date than 1308, and, as the book above spoken of is six years antecedent to that date, it may be not unacceptable if I describe the book to which this early date belongs. It is of 14 leaves, of the half-folio form, 18 inches in height and $5\frac{3}{4}$ in breadth. The writing is in a small and clear hand. The title is express as to date—"xx die Januarii anno domini M.CCC. secundo: Exitus Custume posite et taxate ad septem solidos et sex denarios, et est cum Yssaco ad xi. solidos et iii. denarios: Burdegalia." That is, A custom-account of wines at Bordeaux rendered on the 20th of January 1302, including the custom known by the name of Yssacum, a rare word, for which reference may be made to Charpentier's Supplement to Du Cange, where is given a quotation from a document of King Henry V. in which it occurs.



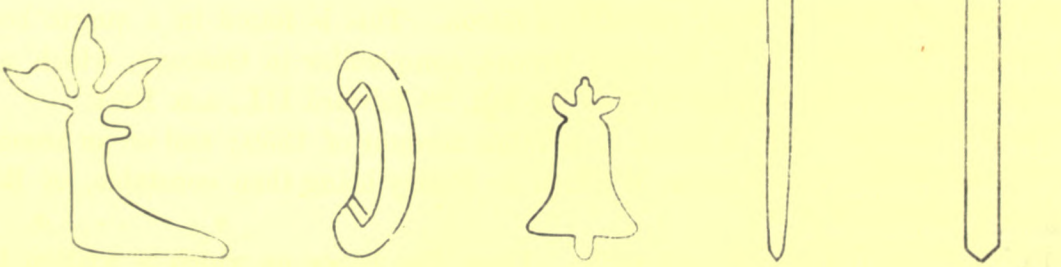
1. Bordeaux, A.D. 1330. 2. England, A.D. 1337. 3. England, A.D. 1337. 4. England, A.D. 1337. 5. Dover, A.D. 1345.

1. It is in 1330 that we first find a manufacturer's symbol. It is a ram's face:

and this figure seems to suggest that wool might be one of the fibres used in the preparation of the paper. It is found on many of the leaves of a book containing the accounts of John Guitard, comptroller of Peter de Gualiciano, Constable of Bordeaux, from the 13th of October 1329 to the feast of St. Michael, 1330.

2. The next specimen is from the paper on which is written the account of one of our own countrymen, Henry Burghersh Bishop of Lincoln, of the expenses of an embassy in which he was employed in the year 1337. The figure has some resemblance to a pear.

3 and 4. Both these are on the same sheet, containing the account of John de Woume, who appears to have been in the suite of the bishop, and from his account to have gone to Holland on the King's affairs. One of these is a rather elegant device: a circle inclosing the letter S lying longitudinally, surmounted by a fleur de lis. The other a circle, containing what appears to be the letter ɧ, and a straight line as if suspended by a thread.



6. Dover, A.D. 1345.

7. Dover, A.D. 1345.

8. Bordeaux, Circa A.D. 1350.

9. Calais, A.D. 1350.

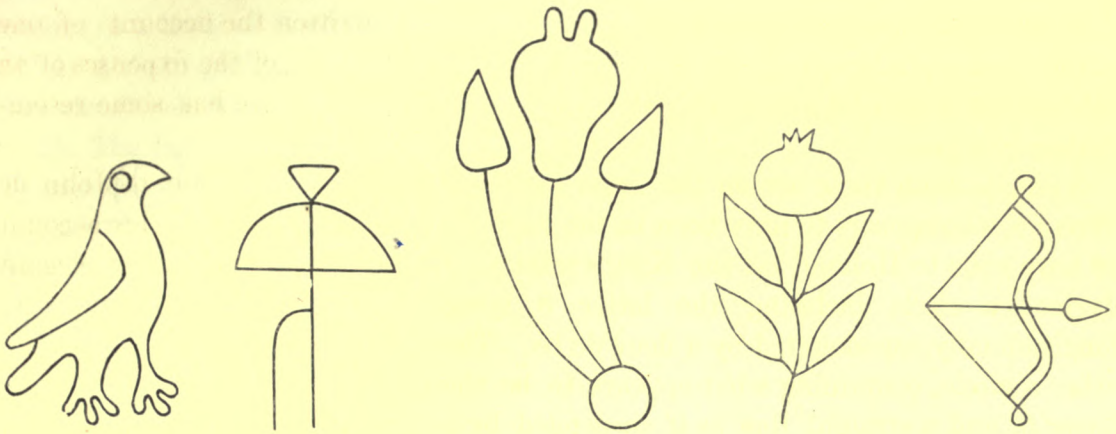
10. Bordeaux, A.D. 1351.

5, 6, and 7. These all occur in a book consisting of a very few leaves, which contains accounts of works at Dover executed in 1345, the 19th year of King Edward III. It is very difficult to determine what they represent, especially those numbered 6 and 7.

8. In this there is no difficulty. It is plainly a bell. It is taken from a book of Bordeaux accounts much injured by damp. It is without date, but belongs to about the year 1350. A bell occurs on a Paston Letter of 1443.

9. A sword. This is from a small book of Calais accounts of about the year 1350.

10. A sword of a different form, and may be intended to represent the Curtana. It is found in a book of accounts from Bordeaux, from November 7, 1351, to July 16, 1352.



11. Gascony, A.D. 1354. 12. Calais, A.D. 1359. 13. England, A.D. 1360. 14. England, c. A.D. 1370. 15. England, c. A.D. 1370.

11. Some species of bird, probably a falcon. This is found in a quarto book containing the accounts of Bernard Brocas, comptroller in Gascony, which was delivered into the Exchequer on May the 6th, 28 Edward III., A.D. 1354.

12. An arbalist. This is found on a Calais account of 1359; and on an account of Bernard Brocas, comptroller, William de Farley being then constable, of Bordeaux, 1365.

13. A plant, perhaps the water-lily. From the paper on which is written the account of W. Piers, one of the King's mariners, of the expenses of a voyage made by him to Normandy and other foreign parts, in A.D. 1360. It may also be found in a Bordeaux account of 1348.

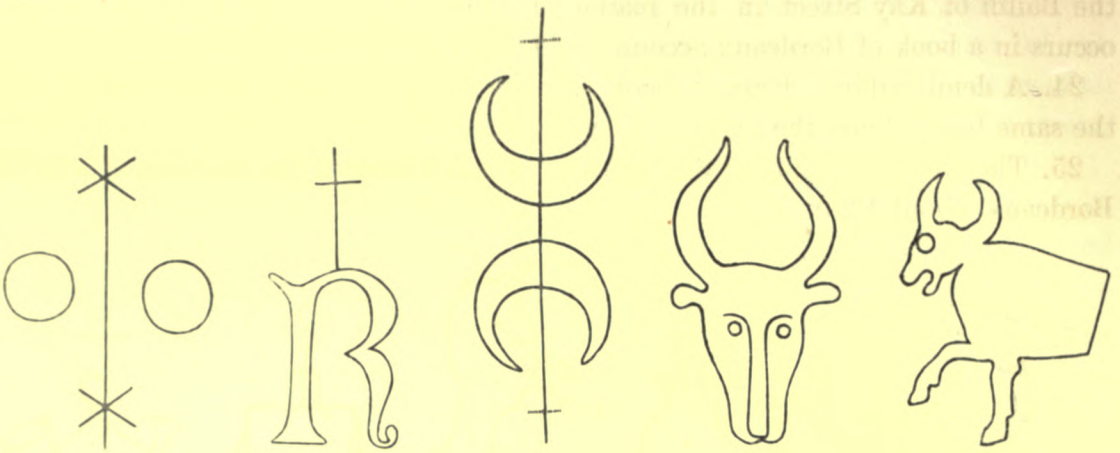
14. A sprig with leaves and a fruit or flower, possibly a pomegranate. In the household-book of some English person of distinction who lived near the close of the reign of King Edward III.

15. A drawn bow with the arrow. In the same book.

16. In the same book as the last is paper with this mark, a perpendicular line with stars at each extremity between two circles.

17. The letter R ensigned by a cross. This is in the same book, and is also found in a large volume of accounts of Mr. Richard Rotour, constable of Bordeaux, in 1379.

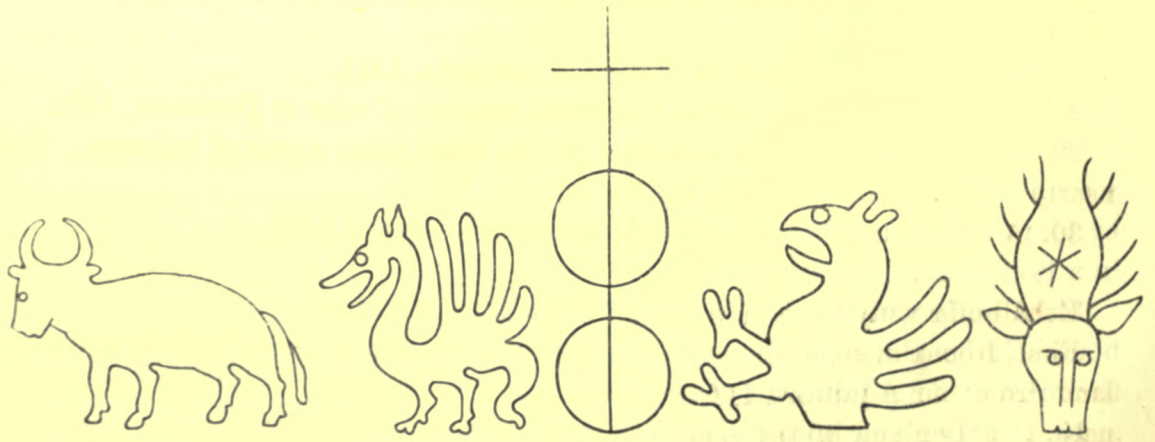
18. Two crescents through which a perpendicular line passes, terminating at each end in a cross. In a Calais account without date, but probably of the reign of Edward III.



16. England, c. A.D. 1370.
17. England, c. A.D. 1370.
18. Calais, Temp. Edw. III.
19. Bordeaux, A.D. 1372.
20. Bordeaux, A.D. 1375.

19. A bull's face. In two Bordeaux accounts, 1372 and 1375, when Robert de Wykford was constable.

20. A demi-bull passant. In a custom-book of Bordeaux of 1375.



21. Bordeaux, A.D. 1378.
22. Bordeaux, A.D. 1378.
23. England, A.D. 1380.
24. Bordeaux, no date.
25. Bordeaux, c. A.D. 1390.

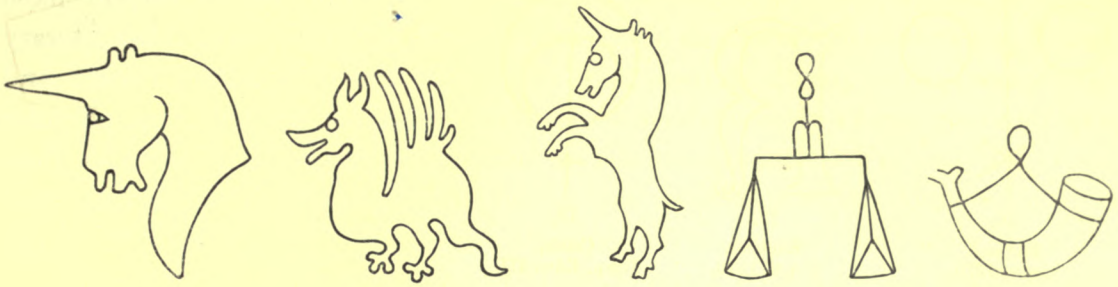
21. A bull passant. In a comptroller's account of the constablery of Bordeaux, 1378.

22. A wivern. In the same book.

23. Two circles in pale with a line passing through the centre of both and ensigned with a cross. From an account of the issues of divers courts held by the Bailiff of Kay Street in the manor of Middleton in Kent, in 1380. It also occurs in a book of Bordeaux accounts of 1355.

24. A demi-griffin. From a book of customs at Bordeaux without date. In the same book occurs the mark last described.

25. The face of the stag of St. Hubert. From a book of the customs of wine at Bordeaux, about 1390.



26. Bordeaux, A.D. 1409. 27. Bordeaux, A.D. 1411. 28. Bordeaux, A.D. 1412. 29. Bordeaux, A.D. 1412. 30. Bordeaux, A.D. 1431.

26. The head of a unicorn in profile. From a comptroller's account of the customs at Bordeaux, 1409.

27. A wivern. In a book of Bordeaux accounts, 1411.

28. A unicorn saliant. From a customs account of wine at Bordeaux, 1412.

29. From the comptroller's account for the same year: a pair of balances. This nearly resembles Fenn's Plate ix. No. 16.

30. A bugle-horn. From a Bordeaux custom-book of 1431.

I shall offer only two general remarks on this exhibition.

First, from the great abundance of accounts written on paper coming into England from our Aquitanian possessions, and the small number of documents originating in England in the same early period written on any other material than parchment or vellum, it may be concluded that paper was a substance much more familiarly known in the South of France than in England: whence arises a strong probability that it is to our connection with those provinces, and especially with Bordeaux itself, that we owe the first introduction of this most valuable substance into England. Indeed, paper having the same mark being found in documents

prepared at nearly the same time at Bordeaux and in England, as may be seen in No. 17, seems to shew either that we received our paper from Bordeaux, or that Aquitaine and England were supplied from the same market. Whence we may also infer that we are to trace this most ingenious and admirable invention, through Spain and possibly its Moorish provinces, to the people, not yet ascertained, with whom it originated.

Secondly: in considering the specimens from which these drawings have been made, we are under no uncertainty respecting the date of the existence of the paper. It may have been a few years earlier, but it cannot have been later than the transaction of which it has carried down the record. We thus obtain certain fixed points, and are not perplexed, as in the case of MSS. of poetry, or of other literary compositions, with questions respecting the age of the composition itself: and possibly these marks now established as in use at a certain period may render some assistance in determining the age of manuscripts of greater importance than those from which these specimens are drawn, where the period when they were written is a material element in the inquiries respecting them. The mark of the manufacturer has often been found of use in the detection of literary forgeries.

XXIX. *The Burning and Burial of the Dead.* *By* William Michael Wylie, *Esq., B.A., F.S.A.*

Read March 25, 1858.

" Constituêre pyras ; huc corpora quisque suorum
More tulêre patrum."

Virg. Æn. xi. 185.

Archæology, at the present day, is no longer the ill-appreciated amusement of the few. Its study is widely spread, while its importance is generally admitted, even by those whose inclination does not lead them to pursue it as a study.

No branch of archæology appears to excite more general interest than sepulchral research in our own land, or in those foreign lands whose early inhabitants were, so to speak, kinsmen of our forefathers. This widely-diffused interest of our day happily differs altogether from the indiscriminate curiosity of a preceding age. And if science ventures to pass the sacred threshold of the tomb, it is solely because the early domestic history of our race is only to be found recorded in the tablets of the dead.

Cremation, whether from its ancient oriental origin, its general heathen developement, or its mystic associations, is a rite which most thinking men agree in regarding with attention. The fine old essay " Hydriotaphia," in which Browne gave utterance to his reflections on this theme, still enriches our early literature; while, but lately, the same subject has claimed the attention of Grimm and Kemble. It is indeed not a little remarkable that cremation, with its attendant matter, has called forth such beautiful compositions, at different eras, from men of so profound a learning and research. The essay on the " Verbrennen der Leichen," delivered by Dr. Grimm before the Berlin Academy, in 1850, independently of the beauty of the composition, is a noble example of what archæology may become when accompanied by deep research and historical literature.

I trust then it may not be thought presumptuous if, following such predecessors at a distance, I now request permission to venture a few remarks on the

cremation system generally prevalent among the Indo-European nations, with a special inquiry into the evidence of its existence among our own Anglo-Saxon race. The task is confessedly an arduous one, which I could have wished intrusted to abler hands than mine.

Cremation—at least Teutonic cremation—is generally wanting in the interest and information which attends the succeeding rite of burial. Here, the arms of the dead—the ornaments of dress—the objects of domestic life—all come forth from the conservative earth after ages have rolled by. They tell us of the manners and customs of early times, and elucidate many an obscure page of rude, archaic history. Such illustrations give zest to the pages of Sidonius, Gregory of Tours, and Fredegaire. They help us to realize Meroveus and Clovis, and follow with interest the doings of the fierce race which culminated in Charlemagne. So too with our own first literature. Fate indeed has denied us the early annalists she granted to the Franks, yet we can produce the charming myth of Beowulf, dear to every lover of early romance: no one however will deny that some acquaintance with Teutonic monumental antiquities is requisite to a due appreciation and full enjoyment of that singularly beautiful poem. But with cremation all is lost. The pomp and circumstance of time dissolve with the body of the dead amidst the fiery glow of the funeral pyre, and little remains to tell of the past. Some occasional coin, some little ornament, the last tribute perchance of woman's affection, may possibly be found among the ashes collected from the flames into the sepulchral urn—but this is all. Hence, sometimes considerable difficulty ensues in a correct attribution of remains of this period, where our sole evidence possibly consists in a few fragments of a cinerary urn.

At what period cremation may have entirely ceased is an obscure question on which very differing opinions are entertained. The gradual progress of Christianity, imperceptibly influencing little by little even its bitterest opponents through the under-current of social life, doubtless brought about the movement. As with all other great national changes, a very long transition-period must have existed, and centuries perhaps intervened between the coming in of the new usage and the complete extinction of the old Cremation and the antagonistic rite must have carried on a slow contention, and the plains of the dead have long received into a joint occupancy the remains both of those who had and those who had not "passed through the fire."[a]

[a] Campus autem ipse dudum refertus tam *bustualibus favillis, quam cadaveribus.*—Sidon. Apoll. epist. xii. l. 111.

"Burning of the dead and urn-burial," observes Sir Thomas Browne, "lasted longer, at least in this country, than is commonly supposed." His Brampton urns, possibly Romano-British, may bear any date subsequent to Posthumus and Tetricus, whose coins appeared in them. Coins of Constantine have been met with in Gallo-Roman cinerary urns at Metz, and elsewhere, in France, which gives a yet later date. The Abbé Cochet, and M. de Caumont, the experienced editor of the "Bulletin Monumental," declare no instance of cremation has occurred later than Constantine[a]—that is, that no coins later than those of Constantine have occurred in Gallo-Roman cinerary urns.

Sidonius Apollinaris, in one of his epistles,[b] speaks of the fall of a funeral pile, and the disgusting appearance of the half-burned corpse. This is certainly written in a similitude, but his language is vivid—like that of a person who had witnessed cremation—and if so, the rite must have existed in France even in the fifth century. There are other passages also in his works[c] which would lead us to suspect the existence of cremation in his times, but, if such really were the case, it must be attributed to the Goths. Cremation among the Gallo-Romans must have been long extinct. Grimm[d] indeed suggests that such allusions of Sidonius possibly go to prove the lingering heathen practices of the Goths, and that the Arianism they nominally professed may have even sanctioned cremation rites. It is so far certain that, in another epistle,[e] Sidonius details the defeat of the Goths by Ecdidius, and how they burned their dead in the houses fired in their retreat. But any army might so seek to disembarrass themselves, in a disastrous flight, of the slain it was not possible to inter.

From what we know of the spread of Christianity during the fourth century among the Gallo-Romans and our own Romano-British population, we may rest satisfied that both nations were, at least professedly, Christian, and must consequently have forsaken the old rites of cremation. That heathenism still lingered on in a few retired spots, here and there, in both countries we also know, but

[a] La Normandie Souterraine, pp. 34, 167.

[b] Sordidior atque deformior est cadavere rogali quod, facibus admotis, semi-combustum, moxque sidenstrue torrium devolutum, reddere pyræ jam fastidiosus pollinctor exhorret.—Epist. xiii. lib. 3.

[c] "—infusaque raptim
Excussit tumulis solidatas vita favillas"
Carm. xvi. l. 67.

"Infastiditum fers ipse ad busta cadaver."
Carm. xvi. l. 123.

[d] Verbrennen der Leichen, p. 27. Berlin, 1850.

[e] Epist. iii. l. 111.

Roman heathenism also had ceased long before to burn its dead. This is a fact ever to be borne in mind by the archæologist in investigating examples of Teutonic cremation. No doubt the scarcity and expense of fuel in cities, and a few very populous districts, gradually rendered the burning of the dead too onerous an expense in such localities, but this objection would not apply elsewhere. Other causes must be sought for the extinction of cremation. At the present day the poorer classes of Hindoos at Calcutta are debarred from burning their dead, *more patrum*, by the high price of wood: if wood were plentiful, the burning would go on as before. The Sepoys lately sent to China, on landing, burned the bodies of their comrades who had died on the voyage from India.

So far as our present amount of information extends in this branch of archæology, there would appear but very little to guide us in determining the belief of those whose remains we so frequently encounter in Teutonic graves. From the earliest date of inhumation, down to the historic period termed Carlovingian, we find the same character of interment. Such difference as may be perceptible in the accompanying reliques are most probably attributable to the varying state of art during so long a period. If any clue may be supposed to exist, perhaps the orientation of graves—of course considered in connection with other circumstances—may seem to be the most reasonable. We know the early teaching of the Church on this point.[a] As we may then suppose her ministers would obey and enforce her teaching, there certainly appears a degree of presumptive evidence in favour of the Christian belief of those whose bodies may be found lying with feet pointing to the east. Yet the Alemannic graves of Oberflacht afford a fair instance of the little reliance that can be placed on mere orientation. These graves are in the true orthodox position of east and west, but contain all the accessories that can indicate the most inveterate heathenism—and for undoubted heathen graves they pass in Germany. If Christian ritual was ever read at such interments, it could only have been in the light of a spell, by one of those early hedge-priests who may have driven both trades—"per agrestia loca"—as we gather from the epistles of St. Boniface.[b]

While however Christians prayed turning to the east, and maintained the same orientation in death, it must be remembered the practice of heathen worship was entirely different.

[a] Durandi Rationale Div. Off. l. vii. c. 35, sec. 39. Debet autem quis sic sepelire, ut capita ad occidentem posito, pedes dirigat ad orientem in quo quasi ipsa positione orat; et innuit quod promptus est ut de occasu festinet ad ortum: de mundo ad seculum.

[b] Boniface, epist. lxxi.

In the North was the holy place of Teutonic heathendom, and to the north, accordingly, the Teuton turned while engaged in sacrifice and prayer. In this fact Grimm seeks the explanation of a passage in the old poem of Reinhart Fuchs, where the fox is described praying like a Christian—that is, facing eastward; but the wolf, like a heathen, facing north—"wo der fuchs *christlich*, der wolf *heidnish* gebet."[a] Christians hence came to consider the north as the region of ill-omen,[b] and various superstitious usages of the early period attest the prevalence of the idea.[c] If therefore our former proposition be accepted, it is equally reasonable to consider as heathen such remains as we find lying with feet to the North. An incident worthy of attention, as bearing on this subject of orientation, is mentioned by Brian Faussett in the "Inventorium Sepulcrale:" "Almost all the graves opened at Ash, Chartham Downs, Kingston, and Bishopsbourne pointed with their feet to the east. It is also to be observed, that all those few that have materially deviated from this direction were always, and without a single exception, found at the extreme verge or utmost limits of the burying-ground."[d] We may therefore possibly be correct in assuming the mass of interments, lying east and west, to have been Christian; and the few outsiders, in a north and south position, to have been heathen. Interments are occasionally found with still varying orientation; but this is rare, and altogether exceptional. Teutonic graves, both here and abroad, will be found to be made due east and west, or north and south, as a rule.

Some consideration of the funeral usages of India itself may, perhaps, be thought to fitly preface this brief inquiry into those of the nations of Europe.

The European languages, ancient or modern, reveal their Eastern origin. If this be conceded, it will probably be thought a fair inference that the all-pervading custom of cremation was also derived from the same source. Such an inference, indeed, rests on the evidence furnished by the history of India, from the earliest period to our own. Other modes of disposing of the frail human form have existed, and still do exist, in the East. We know that certain Indian races bury their dead; while others again expose them on the river's shore, to be carried away by the rising stream or devoured by beasts of prey. But as the funeral pile ever was and still remains to the Indian heathen, throughout all the vicissitudes of time, the one great national mode of resolving matter into its component elements, so we shall find its use generally maintained by the great

[a] D. Mythologie, p. 30, ed. 1854.

[b] Durandi Rationale Div. Off. l. iv. c. 24, sec. 21.

[c] Deutsche Rechtsalterthümer, p. 808.

[d] Inventorium Sepulcrale, p. 39.

Indo-European family of nations during the period of heathenism. Of the voluntary sacrifice of the Indian widow on her husband's funeral pile, and the contests among the women for this honour of self-immolation, Cicero, Propertius, Plutarch, Damascenus, Diodorus, and other ancient writers all make mention.

Ardent victrices et flammæ pectora præbent,
Imponuntque suis ora perusta viris.[a]

The prevalence of urn-burial among the great Hellenic and Romanic branches is too well known to all present to require further mention here. Our present inquiry will be more particularly directed to the Teutonic branch. Nor need we dwell on the sepulchral usages of the Kelts. In Gaul, in Britain, and indeed wherever the remains of this widely-spread race may be found, urn-burial seems to have been the prevailing rite.[b] Exceptional instances of inhumation have occurred with Keltic remains, as I conceive may have been the case with all the people who adhered to urn-burial.

The recent researches of Mr. Akerman, in a Keltic cemetery at Bright-hampton, in Oxfordshire,[c] disclosed a great number of examples of cremation, unmixed with inhumation.

Of the vast ill-defined region called Scythia we learn but little from Herodotus. Earth-burial seems to have been the prevailing mode of interment; cremation is not mentioned. Herodotus, indeed, tells us at the same time that the country was wholly destitute of wood;[d] so that the bones of animals were burnt for fuel, just as their dung alone supplies the modern traveller's fire on the plains of Tartary.[e] So bare a country was, indeed, but little adapted for cremation rites. It must have been in some other of the wide regions of Scythia that the altars of sacrifice, composed of mounds of faggots—*φρυγανων*—were set up;[f] as also the faggot-piles whereon the false prophets were burned.[g] Where these practices were carried on we can hardly think cremation could have been entirely unknown, nor would it be in any way consistent with the funeral usages of the heathen Russians in the tenth century, to which we shall have occasion to refer later.

[a] Propertius, iv. 12.
[b] Cæsar, de Bell. Gall. vi. 19. Pomp. Mela, iii. 2, 3.
[c] Archæologia, vol. XXXVII.
[d] Herodotus, iv. 61.
[e] Huc's Journey in Tartary, &c.
[f] Herodotus, iv. 62.
[g] Ib. iv. 68.

The Thracians, according to Herodotus,[a] practised both modes of sepulture. Pomponius Mela[b] speaks of cremation only, accompanied by full honours at the pile—"arma, opesque ad rogos deferunt." Both historians mention the immolation of the widow—probably on the funeral pyre. Herodotus does not appear to have been aware of the general practice of the widow-sacrifice in India. In far later times Procopius[c] relates precisely the same customs among the Gothic tribe of the Heruli. We find not only that the Heruli practised cremation in the sixth century, but further, that it was the custom of this fierce people to slay all their sick and aged on the pile, and then burn them. Whether death in the usual course of nature would have incapacitated them for the honour of cremation does not appear; but a legendary allusion, in the life of St. Arnulphus, to similar usages among the Thuringians more than a century later, as we shall presently see, would go far to induce such a suspicion.

That cremation was the prevailing funeral rite of the early Germans we have the certain witness of Tacitus. His words cannot be too often repeated, for they are our text-book. "Funerum nulla ambitio. Id solum observatur, ut corpora clarorum virorum certis lignis crementur. Struem rogi nec vestibus, nec odoribus cumulant. Sua cuique arma; quorundam igni et equus adjicitur. Sepulcrum cespes erigit."[d]

That cremation existed among the later races of Southern and Central Germany we find satisfactorily established by the numerous examinations of their sepulchral tumuli which have been made during the last few years.[e] At the same time it is sufficiently evident that inhumation had become the more accustomed rite. By the time most of the German tribes had become established powers in this part of the country, and obtained a place in the pages of certain history, the influence of Christianity, and the example of Roman civilization, must have combined to bring the old custom of burning the dead into desuetude. Hence we find no allusion to it in the statutes of the most early-recorded jurisprudence of these southern German states, which, of itself alone, would indicate the complete extinction of cremation as a national rite. Yet the reminiscence of the past will often long endure in the proverbial idiom of a language, and the German saying—instanced by Grimm—of "reiser zum scheiterhaufen tragen," literally, "to bring sticks to the funeral pile," used in the sense of "rendering any slight aid, or contribution," certainly points to a period when such a phrase must have had a

[a] Herodotus, v. 5, 8. [b] ii. 2, 4. [c] Bell. Goth. ii. 14. [d] De Mor. Germ. 27.
[e] Wilhelmi's Reports of the Sinsheim Society, *passim*. W. Grimm, Über Deutsche Runen.

primary and positive meaning.[a] Heathenism, and the purifying flame, must have found a home in the vast forests and mountain-valleys of Germany long after the inhabitants of the towns had adopted a Christian belief. A passage indeed in the life of St. Arnulphus shows this to have been the case among the Thuringians, even so late as the middle of the seventh century. St. Arnulph is said by his prayers to have restored health to a sick man, and saved him from a cruel death. His friends were on the point of killing and conveying him to the funeral pile—"ut languentis, capite amputato, cadaver *more gentilium* ignibus traderetur."[b]

This legendary incident would induce a suspicion of the existence in Thuringia also of the Herulian custom of immolating the infirm and aged on the pyre. If we could think such bloody rites were very generally practised as a necessary qualification for cremation, we can well understand the anxiety of the Christian Church for its suppression on the mere score of humanity. Rogge indeed asserts[c] that earth-burial was the mode of sepulture granted to such as died a natural death, while cremation was reserved solely for those slain in battle, or otherwise. This would be valuable information if based upon any certain evidence; but unfortunately this important element is altogether wanting.

Of Northern Germany, Mr. Kemble, speaking of mortuary urns, tells us, "Urns of precisely similar form, and with exactly the same peculiarities, have been discovered in Jutland, and parts of Friesland, on the borders of the Elbe, in Westphalia, in Thuringia, in parts of Saxony, in the Dutchies of Bremen and Verden, the County of Hoya, and other districts on the Weser; in short, in many parts of Germany east of the Rhine, west of the Upper Elbe and Saale, and north of the Maine. They have therefore been found in countries which were occupied by the forefathers of the Anglo-Saxons. The latest of these discoveries is that made in the course of last year at Stade-on-the-Elbe, in the kingdom of Hanover."[d]

Of the attachment of the old Saxons to their national rite, we have direct historical evidence. St. Boniface, instancing their purity of morals, tells us that any Saxon female convicted of unchastity was forced to destroy herself, while

[a] Another reminiscence exists in an old treatise on cremation—"im brand zen haidengrebern"—which bears the date of 1475, when the traditions of the old rites may not have been quite forgotten. It is cited in Mone's Urgeschichte des Badischen Landes.

[b] Mabillon's Acta Benedict.

[c] Über das Gerichtswesen der Germanen, p. 38.

[d] Burial and Cremation. Archæol. Journal, vol. xii.

her paramour was hanged over the spot where her remains were burnt.[a] At a still later period we find the well-known Capitularies of Charlemagne denouncing the practice of burning, and the old heathen sepulture in general.[b] Mr. Kemble's researches were carried on in Lüneburg and Verden,—"in the country which was, *par excellence*, inhabited by continental Saxons,"—those very people whose obstinate adherence to the funeral rites of their ancestors Charlemagne found even the penalty of death insufficient to repress. Now, what does Mr. Kemble tell us of this part of Germany? "In Lüneburg and Verden, cremation was universal and exclusive, and, although I believe that Count Münster, Baron von Estorff, and myself, must have opened at least three thousand interments, I can only call to mind two of skeletons, recorded by Estorff. Münster and myself never saw a trace of anything of the kind; nor could I, by the most diligent inquiries, prosecuted for seven months over a great expanse of country, learn that anything similar had been found. Count Münster never hints even having met with unburnt bodies, although his earnest and most accurate researches extend over a period of twenty-five years!"[c] Here an important historical document comes opportunely to elucidate the funeral usages of northern Germany. By a deed of contract, bearing date 1249, between the newly-converted Prussians, and the Knights of the Teutonic Order, the former promise, "quod ipsi et heredes eorum in mortuis comburendis, vel subterrandis, cum equis, sive hominibus, vel cum armis, seu vestibus, vel quibuscunque aliis preciosis rebus, vel etiam in aliis quibuscunque, ritus gentilium de cetero non servabunt, sed mortuos suos juxta morem Christianorum in cemiteriis sepelient et non extra."[d] Here again we have mention of the practices of both cremation and inhumation at the same period among a Teutonic heathen people, and distinct allusion made to the slaughter of slaves and horses at such occasions. This too, be it remembered, was in the middle of the thirteenth century.

The same want of direct historical evidence that we have to regret concerning the rites of the Southern Germans, the Burgundians, and the Lombards, exists

[a] Cogunt eam propria manu per laqueum suspensam vitam finire, et super bustum illius incensæ et concrematæ corruptorem ejus suspendunt. Boniface, epist. lxxii.

[b] Cap. vii. Si quis corpus defuncti hominis secundum ritum paganorum flammâ consumi fecerit, et ossa ejus ad cinerem redierit capite punietur.

Cap. xxii. Jubemus ut corpora Christianorum Saxanorum ad cœmiteria ecclesiæ deferantur, et non ad tumulos paganorum.

[c] Burial and Cremation.

[d] Dreger's Cod. Diplom. Pomeraniæ, No. 191, p. 286—294.

also in the case of those of the Franks. Gregory of Tours, and the other early Frank annalists, must have been accurately acquainted with these matters, yet we gain no information whatever from their writings. To be sure they were Christian clergy, to whom the heathen and their polluted rites would be devilish abominations.[a] It cannot therefore be supposed they would be likely to record the particulars of a nuisance they would fain have had men to forget. Distance as yet had lent no romance to the funeral pile. Yet one little mortuary memento of Frank cremation exists in the fragments of Hunibald.[b] "Salegastus moritur, et combustus urnæ imponitur"—and, if this may be trusted, it will suffice for our purpose. French archæologists of the modern school, among whom our own zealous associate the Abbé Cochet stands pre-eminent, have of late years devoted their attention to the sepulchral remains of their own land. Yet Frankish ossuaries must indeed be rare in France, as I suspect to be the case, or else they have been confounded by discoverers with those of Gauls, or Gallo-Romans—which, judging from other facts, is far from improbable—for I know but few examples of their occurrence.

In the Butte de Gargans, a large Merovingian cemetery at Houdan, near Rambouillet, M. Moutié found two interments containing vessels with burnt bones, and heaps of ashes, denoting the burning of the body either in or over the graves.[c] A third example occurred at Envermeu. It is the only instance of cremation M. Cochet has found there among the many hundred interments he has so carefully examined. These bones were contained in a vessel of reddish Merovingian pottery.[d] We may therefore expect still more satisfactory results from continued research. I should, however, be more disposed to expect Frankish cremation-interments to be found in Belgium and along the Rhine, as being the seats of the Franks before they conquered Gaul. By the time they were fairly established there, they also must have undergone the same change of opinion with regard to funeral rites which we have noticed as having taken place in Southern Germany, and thus earth-burial would probably have mainly superseded cremation, even among that portion of the nation which still adhered to heathenism. On this point it must be observed that when, in the middle of the seventh century, we find St. Wandrille and his disciples of Fontenelle setting forth to evangelise the wild valleys of Neustria; when we find St. Romain attacking the temples of Jupiter, Mercury, Apollo, and Venus, in the very city of

[a] Einhard. Vit. Car. M. c. vii. cultui dæmonum dediti, religioni contrarii.

[b] In Trithermii Oper. Fran. 1601.

[c] La Normandie Souterraine, p. 320. [d] Ib.

Rouen,[a] we may rest assured of the fallacy of assuming the existence of a Christian faith from the mere extinction of cremation. Thus Iceland was not christianised till about the year 1000; yet mention of earth-burial occurs there long prior to this date. The transition had commenced. In Egil's Saga, mention is made of a tumulus opened to receive a corpse. Egil himself died a heathen, about 980, and was buried with arms and dress. His remains were found in after times. So Thorolf was buried, with arms and dress, in 926; and Skalagrim in 934, with his steed and arms, in his ship.

It is clear enough that urn-burial is purely a rite of heathenism. But I cannot understand by what reasoning we are justified in assuming the converse—that all instances of inhumation during the long transition-period are positive indicia of Christianity.

The ancient Salic laws were originally framed long before Clovis and his subjects had decided on the policy of embracing Christianity, and sundry passages accordingly are redolent of heathenism. One of these bears on our present subject, and certainly sanctions a belief in the general cremation custom of the day. It will be found under the head De Chreodiba, tit. lxxiv., in the Herold edition of the old German laws, and is directed against those who, having committed homicide in the forests or elsewhere, may attempt concealment by destroying the corpse in the flames.[b]

Grimm, who in his researches on this subject has displayed the treasures of his vast philological knowledge, attaches considerable importance to the *thurnichallis* of the old Salic laws, or rather of their ancient gloss. This *thurnichallis*, or *thornechales*, seems to have been the thorn-bushes planted on or around the tumuli, as was probably always the custom of Germanic heathenism, thorn-trees being considered sacred to the sepulchres of the dead, and held in peculiar veneration. Grimm instances a remarkable example of the duration of this traditionary feeling at Schonen, in Sweden. Here the tumuli of the cremation period are easily distinguishable, by the very ancient thorns still growing upon them, and which the peasantry regard as sacred, and refuse to cut down. This bit of comparative evidence is further strengthened by the fact, that these Swedish tumuli bear indiscriminately the very significant names of Balhögen—hills of burning, and Tornhögen—thorn-hills; which stand in remarkable relation with this *thornechales* of the old Franks. Altogether Dr. Grimm, after a close investigation,

[a] La Normandie Souterraine, p. 409.

[b] Si quis hominem ingenuum, seu in sylva seu in quolibet loco, occiderit, et ad celandum *igne combusserit*, &c. Si quis antrussionem, vel fœminam taliter interfecerit, aut celaverit, aut *igne cremaverit*, &c.

comes to the conclusion that "the Franks, like the rest of the Germans, burned their dead on faggots of thorns, and then planted thorn-trees over the grave."[a]

The pages of Saxo Grammaticus and the Sagas declare the constant practice of cremation in Scandinavia, down to a very late period. In the Heimskringla (Preface to the Sagas of the Kings), the respective periods of *Bruna-öld*—or age of burning, and *Haugs-öld*—or age of burial, are clearly defined; and the former, we are told, endured in Norway and Sweden much later than in Denmark. Not only, too, were the last rites paid by fire, but the bodies of warriors of renown were burned in their ships;[b] and sometimes the body and the vessel were committed to the winds and waves. Thus we read in Beowulf, the body of Scyld was placed in his galley, and left to drift over the deep. "Upon his bosom lay a multitude of treasures, which were to depart afar with him into the possession of the flood. . . . . Moreover, they set up for him a golden ensign high over head; they let the deep sea bed him; they gave him to the ocean."

A curious fragment of Nicolaus Damascenus[c] renders us aware of the analagous customs of a tribe, apparently of Pontus, at a very early period. Nor did the Scandinavians confine these rites to their own land. As late as the year 879, we find the Norman pirates, foiled in a marauding attack on the Franks, remaining *to burn* their dead before retiring to their ships.[d]

It is most important to bear in mind the vicinity and close intercourse of the Scandinavians with the people to whom the origin of our nation is to be ascribed. Hence, perhaps, the close resemblance in their funeral rites. Scandinavian prose and Anglo-Saxon verse alike tell us of the funeral pyre and sepulchral tumulus; or of the ashes of heroes committed in their ships to the elements, figuring the passage over the dark ocean that encircles a northern Hades.[e] It appears then to me a matter of surprise, not that we find occasional instances of Saxon cremation, but that we find so few.

The narrative of Wolfstan, inserted in the Orosius of King Alfred, is a detailed account of the funeral rites of the Esthonians. Here, again, we have the burning of the dead with arms and dress.

[a] Verbrennen der Leichen, p. 36.

[b] In Ynglingasaga, cap. xxvii.; also Saxo.

[c] Fragment, 117. *Κἰαι τοὺς ἀποθανόντας κατακαύσαντες, καὶ ὀστολογήσαντες, ἐν ὅλμῳ τὰ ὀστᾶ καταπτίσσουσιν, εἶτα ἐνθέντες εἰς πλοῖον, καὶ κόσκινον λαβόντες ἀναπλέουσιν εἰς πέλαγος, καὶ πρὸς τὸν ἄνεμον ἐξοδιάζουσιν, ἄχρις ἂν πάντα ἐκφυσηθῇ καὶ ἀφανῆ γένηται.*

[d] Nordmanni cadavera suorum flammis esurentes noctu diffugiunt, et ad classem dirigunt gressum.—Chronicle of Regino, in Pertz's Monumenta, vol. i. p. 591.

[e] Deutsche Myth. p. 790.

Another writer, some centuries later, gives a similar account, showing that in 1207 the Esthonians were still in a state of heathenism, and maintained the old rites.[a] He further mentions[b] a very remarkable incident, which is alone sufficient to show how inveterate was the attachment of this people to their old customs. After a brief nominal conversion to Christianity, they relapsed in 1225. Whereon they took back the wives they had been obliged to give up, exhumed their dead who had been interred in christian cemeteries, and proceeded to burn them, "more paganorum pristino." Thus, also, the neighbouring people of Courland burned their dead at the same period.[c]

So, too, the Lithuanians[d] and Livonians[e] burnt their dead. Of the former people, Guagnini, who long lived in the country, tells us that the ancient *parentalia*, when mead and ale were served at the tumuli of relatives, were still observed by the peasantry of some districts. This was about the commencement of the seventeenth century, and corresponds very closely with the rites practised at the festival of Radounitsa, still said to be annually celebrated in some parts of Russia.

St. Boniface relates how the Wendish women were wont to kill themselves on their husband's decease, and so share the funeral pile.[f] Thiesmar, of Merseberg, gives a similar account of the Poles, the only variation being that the death of the women was compulsory. In Bohemia numerous ossuaries in the tumuli examined by archæological research, certify the prevalence of cremation among this Slavonic people.[g]

Various writers state the heathen Russians to have burned their dead up to a late period, and this renders the account given by Herodotus of earth-burial

[a] Sed Estones propter tantam suorum cladem ad persequendum Letthos venire non præsumebant; sed tristia funera, a Letthis sibi invecta, multis diebus colligentes, et igne cremantes essequias eum lamentationibus, et potationibus, multis, more suo celebrabant.—Gruber, Origines Livoniæ, p. 58.

[b] Et receperunt uxores suas tempore Christianitatis suæ demissas, et corpora mortuorum suorum in cœmeteriis sepulta de sepulchris effoderunt et more paganorum pristino cremaverunt.—Id. p. 155.

[c] Mortuos suos cremantes fecerunt planctum suum super eos.—Id. p. 68.

[d] Corpora mortuorum cum pretiosissima supellectile, qua vivi maxime ütebantur, cum equis, armis, et duobus veneratoriis canibus, falconeque cremabant.—Guagnini de Orig. Lithuanorum, in Pistorii script. rer. Polon.

[e] Glanvil writes of the Livonians in 1350, "Mortuorum cadavera tumulo non tradebant, sed populus, facto rogo maximo, usque ad cineres comburebat."

[f] Epist. lxii.

[g] Böhmens heidnische Opfenplätze, Grüber, und Alterthümer; by Dr. M. Kalina von Jäthenstein. Prag. 1836. Grundzüge der Böhmischen Alterthumskunde; by J. E. Wocel. Prag. 1845. Wilhelmi's Sinsheim Society's Reports, 1848.

among the Scythians the more extraordinary. Ibn Foszlan,[a] an Arabian traveller early in the tenth century, has fortunately recorded some customs of the Russian tribes on the Volga which came under his personal observation. These bear so particularly on our subject, and, being at so late a period, are so interesting, that I may perhaps be excused if I venture on a few details. Ibn Foszlan tells us the dead were laid in a roofed-over grave during some ten days, while the funeral preparations were made. In the case of the poorer class, the dead, at the expiration of this period, were placed in small canoes, and burned. But if the deceased were a man of rank, one of his slaves, generally a woman, seems to have been induced to offer herself as a companion in death. When all was ready, the vessel of the deceased was drawn ashore, and a tent set up on the deck above a couch, spread with rich stuffs and carpets, on which the body of the deceased was laid, clad in costly dress, and propped up by cushions. By it were placed the arms, and every variety of meats and drinks. A dog was then slaughtered and thrown into the vessel, also two horses, two oxen, and two hens.

The girl, after sacrificing another hen, was now plied with intoxicating drinks, and conducted to the tent, while a great noise was set up by beating on shields, to drown the cries of the victim; "lest," says the writer, "other girls should take alarm, and become less inclined to die with their masters." On entering the tent, the poor wretch was seized by an old hag, attendant on these rites, and called the "death-angel." The rest of the tale is very horrible, and only finds a parallel in the late atrocities in India. Six men now entered. The victim was bound down on the couch by the corpse, and, after a series of violation, was stabbed by the hag, and then strangled by the men. The nearest relatives of the deceased then set fire to the pile of wood built up round the vessel, and, when all was consumed, a tumulus was thrown up above the spot. There is an analogy in these details with those of Indian widow-burning.[b]

Leo Diaconus, a Byzantine historian, mentions, A.D. 972, another Slavonic tribe on the Danube, which, after a skirmish, burned their dead, and sacrificed their prisoners, together with sheep and hens. The sacrifice of fowls at heathen graves seems not to have been unusual. Traces of the custom have been met with at Selzen[c] on the Rhine and in our own country.[d]

[a] Published in a German translation by Frähn, at St. Petersburg, in 1823.

[b] "The Brahmins, together with an old hag that held her under the arm, thrust her on, and made her sit down upon the wood; and, lest she should run away, they tied her legs and hands, and so they burned her alive."—Brennier.

[c] Lindenschmit's Todtenlager, bei Selzen.

[d] Collectanea Antiqua, vol. ii. p. 219.

Much more evidence, and more widely comprehensive, might easily be adduced on the subject of cremation. This brief retrospect however may perhaps suffice for our present purpose. Among the nations of the Indo-European race we have seen, either from direct historical testimony, or from the reflected evidence of comparison, that the Heruli, Franks, Thuringians, Old Saxons, and other German nations, as also the Scandinavians and the Sclaves, were all in the constant habit of burning their dead. Many feelings doubtless would combine to keep alive this preference for the pyre among a heathen people. I cannot indeed but think we may discern the existence of the old oriental traditions in the fact that the religious system of Odin, and the ordinances of his successors, enjoined the rite of cremation as a passport to the joys of a Scandinavian paradise, and a mark of honour to the dead. Then would come the horror of the grave—the shuddering repugnance

"To lie in cold obstruction, and to rot,"

which a hopeless heathen would not unnaturally entertain. Once reduced to ashes, and committed to the sepulchral urn, the body is no longer subject to corruption, or the scorn of foemen. We know, indeed, that the Lombards were wont to exhibit the skulls of the vanquished as drinking-cups at their carousals; and, as other tribes equalled them in savage ferocity, the custom was probably not peculiar to them alone. But be all this as it may, we can have no stronger evidence of the tenacity with which the old rite was maintained than the fact, that Charlemagne's penal severity could not obliterate it among the Saxons; nor Christian teaching among the Esthonian renegades. We have just seen that these latter, on their relapse to heathenism, disinterred their dead—deceased in Christian communion—and bestowed on them the last baptism of fire. There is something very striking in all this, and we are led to suspect a deeper principle was involved than one of mere hereditary habit. Is it then possible to conceive that those particular branches of the Teuton family that united to form our Anglo-Saxon race should have been the sole exceptions to the general rule? Or that if they adhered to the rule in their own original homes, as we know they did adhere, they would at once abjure it on the short voyage across the strip of blue water that separated them from the land of their adoption?

"Cœlum non animum mutant qui trans mare currunt."

"And though"—says Sir Thomas Browne, who had a shrewd suspicion of the truth—"and though we are bare in historical particulars of such obsequies in this island, or that the Saxons, Jutes, and Angles burnt their dead, yet came they from parts where 'twas of ancient practice; the Germans using it, from whom

they were descended. And even in Jutland and Sleswick, in Anglia Cimbrica, urns with bones were found not many years before us."[a]

Let us turn then to our own land, and ascertain, if possible, what evidence our early Saxon tombs can furnish of belonging to the general cremation period. In these brief notes it will not be possible to do more than notice such proofs as seem the most leading and positive—that is to say, discoveries of burnt human bones in urns of decidedly Saxon type, and pottery sometimes associated with objects of direct Saxon origin.

We will commence our examination with the Saxon cemetery found during the repairs of the turnpike road at Cestersover, in Warwickshire, a few years ago. Here a great number of skeletons were found with the usual indicia of Saxon arms, fibulæ, &c., and an urn. "This," Mr. Roach Smith tells us, "was well burnt, had been turned by a lathe, was much ornamented, and contained a mass of ashes. Close to the urn lay an iron sword, and on the mouth of the urn lay a spear-head of iron, distinguished from the rest by having a narrow rim of brass round the socket."[b] The most sceptical will probably, therefore, accept this instance of cremation as Saxon. The rare circumstance of finding the arms by the urn is of peculiar value, for the Saxon dead are most certainly found, as a rule, interred with their arms; and, since arms are so rarely found with examples of urn-burial, some have been led to doubt the Saxon character of such remains. There is, however, little reason to doubt the fact of the deposition of the arms of the dead on the funeral pile, the fervent heat of which would soon reduce them to an undistinguishable mass, probably interred with the embers on the spot. Not to refer again to ancient writers, we can cite the authority of a comparatively recent author on this occasion. The Livonian *Reimchronik* quotes such a circumstance after a battle gained by the Livonians about the middle of the thirteenth century, towards the close of which this chronicle was written.

in disen dingen wurden brâcht
ir liute, die dâ lâgen tôt.
sân ir wîsten in gebôt,
daz sie die tôten branten
Und von hinnen santen
mit ir wâpen ungespart;
sie solden dort ouch hervart
und reise rîten.
des geloubtens bî den zîten;

[a] Hydriotaphia, chap. ii.

[b] Collectanea Antiqua, vol. i. p. 41. Pagan Saxondom, p. 35.

der rede volgeten sie mite,
wan ez was der liute site.
ûf hôher, zehant sie trâten
ir tôten, die sie hâten,
die brantens mit ir ziuge
(vür wâr ich nieht enliuge):
Spere, schilde, brünje, pfert,
Helme, keyen, und swert,
Branteman durch ir willen,
Dâ mit solden sie stillen
Den tiuvel in jener werlde dort. [a]
Sôgrôz tôrheit wart nei gehôrt.
Lines 3,868—3,888.

This is tolerable authority that it was the heathen custom to burn arms, &c., with the dead down to a late period, and the authority is the more valuable because it is merely a detail of a common occurrence of the day. We gather too from these words that such an act was not merely performed in honour of the dead, but that it involved an observance connected with their system of deprecatory religious worship.

Great numbers of ossuaries—in fact entire cremation cemeteries unmixed with interments—have been found at Newark, Nottinghamshire; and at Kingston, near Derby.[b] A considerable resemblance will be observed between the urns from these two places and the one found at Cestersover, both in form, ornament, and material. All contained calcined human bones. In one of the Kingston urns the remains of a bronze fibula and some glass beads were found; and bronze tweezers, iron shears, and part of a bone comb in one of those at Newark. We know not however how much of the reliques were lost; for of these urns numbers were broken in digging, and at Kingston alone not fewer than two hundred are calculated to have been thrown away by the workmen, before any attempt was made to preserve them—and yet this was close to so important a town as Derby! Under such disadvantages does archæology labour.

A Saxon cemetery at Holme Pierrepoint, in Nottinghamshire,[c] furnished, among other reliques, an urn which closely corresponds with one of the three, containing human calcined bones, found in another cemetery at Marston Hill,[d]

[a] Livländische Reimchronik, herausgeben von F. Pfeiffer. Stuttgart, 1844.
[b] Collectanea Ant. vol. ii. p. 228. Journal of Arch. Association, vol. iii.
[c] Journal of Arch. Assoc. vol. iii. Collect. Ant. vol. ii.
[d] Archæologia, vol. XXXIII.

Northamptonshire, carefully examined by Sir H. Dryden. Before proceeding further south however, we must not fail to notice the very satisfactory instances of Saxon cremation recorded as having been found in the East Riding of Yorkshire. Of these several are said to have been discovered on the occasion of the first opening of the celebrated Driffield tumulus, afterwards examined by Dr. Thurnam. Portions of these sepulchral urns are preserved in the York Museum, and present, as I may state on Dr. Thurnam's authority, "the bosses and incused patterns of the veritable Anglo-Saxon type."

In 1802 several urns, also Saxon, were found at Broughton, near Malton, in Yorkshire, and are now preserved in the York Museum. These urns all contained calcined human remains, and Dr. Thurnam is inclined to think many more would be found in the same spot on a further examination.

In Lincolnshire again "a number of cinerary earthen vases" were very recently found at South Willingham. Drawings of three of these urns were sent by the Rev. E. Trollope to the Archæological Institute, and they are described in the Journal of that Society as Saxon, and resembling "in their forms and character those figured in Mr. Neville's Saxon Obsequies.[a]" These urns were somewhat exceptionally formed of a yellow, and a dark-grey, clay.

At the Saxon cemetery of Fairford, Gloucestershire, several instances of cremation came under my own immediate observation, and I have reason to think others have occurred there. In the adjoining county of Oxfordshire, at Brighthampton, another discovery of Saxon remains has quite recently been made by Mr. Akerman.[b] Here inhumation, as at Fairford, was the usual mode of sepulture, but still, in the small piece of ground opened, not less than three examples of cremation occurred. In one urn, besides burnt human bones, was the so frequent comb, and the fused remains of some object in lead. This vessel is of the usual black Saxon pottery, formed of a rather coarse ill-prepared earth, coloured with graphite or plumbago, and strongly resembles the one from Eye, in Suffolk, figured in "Pagan Saxondom," Pl. xxii., and which contained a comb, with a knife, a pair of shears, and iron tweezers. Mr. Kemble was so struck with the analogy this Suffolk urn bears to those of North Germany, that, in consequence, he wrote his valuable paper "On Mortuary Urns found at Stade-on-the-Elbe," which enriches our Archæologia.[c] Other cases of cremation have also been noticed in the very large Saxon cemetery at Stowe Heath, in the same county of

[a] Archæological Inst. Journal, vol. xiv.

[b] Archæologia, vol. XXXVII.

[c] Vol. XXXVI. p. 270.

Suffolk, among numerous inhumations with arms, ornaments, &c. The ground at Stowe Heath is a very complete example of a long existing cemetery;[a] for we find in it the gradual changes of funeral rites from cremation to that of burial in the simple earth, and then again to stone coffins at a later period. The urns at Walsingham in Norfolk called forth Sir T. Browne's beautiful essay "Hydriotaphia" in the seventeenth century. We owe Mr. Neville's "Saxon Obsequies" to the cemetery of Wilbraham in Cambridgeshire. Here cremation had been freely practised, as shown by the presence of some 120 mortuary urns against 188 cases of earth-burial. These urns present great variety of form and ornamentation, and the most striking analogy exists between them and the mortuary vessels from other counties of England, as those also found at Stade-on-the-Elbe in Hanover. Other examples of Saxon cremation have been discovered at Sandy in Bedfordshire. The account furnished to us, and recorded in our "Proceedings," is unfortunately too brief and indefinite, but one of the urns there engraved[b] is of an unmistakeably Saxon character. In the Isle of Wight also Mr. Hillier's researches at Brightstone and Bowcombe Down revealed examples of early Saxon cremation. One of the urns given in the coloured engraving harmonises with the usual black Saxon type; the other closely resembles some of the urns found in Hanover.

Thus we have before us examples of Saxon cremation in thirteen English counties. More could probably be adduced, but I have only taken such as immediately presented themselves. These, for the most part, are the results of accidental discovery, and valuable rather from widely-diffused resemblance than generally from individual copiousness. All these urns will be found totally distinct from Roman or Romano-British manufacture, on the one hand, as from Keltic on the other. A general resemblance will be found among them when attentively considered. This remark also holds good on comparison with the North German examples Mr. Kemble has set before us from Stade-on-the-Elbe, and the banks of the Weser,[c] which in fact, are the prototypes of many of our English forms.

In the foregoing enumeration, however, Kent, the scene, par excellence, of our very greatest Saxon research, has been omitted—and purposely. Its importance demands a separate notice. True it is, the interesting and instructive Journal of Brian Faussett solely records interments of the inhumation period in the Jute

[a] Collect. Antiq. vol. ii. p. 165. West Suffolk Inst. Journal.

[b] Proceedings of the Society of Antiquaries of London, vol. ii. p. 109.

[c] Archæologia, vol. XXXVI. plates xxii. xxiii.

cemeteries of Kent. He does not even appear to have met with a single example of urn-burial *in situ*. Those, whoever, who have read the "Inventorium Sepulchrale," will not fail to remember that every cemetery which came under his active examination afforded abundant proofs of a prior sepulchral occupation by a people given to cremation.

The sketches given by Faussett of the pottery found so abundantly at Crundale sufficiently demonstrate its Roman character. Nor will any one doubt that the vessels he portrays from Gilton, Kingston, &c., are Saxon. But Faussett constantly alludes to finding a number of fragments of cinerary urns, of some former era, broken by those who dug these later graves. These vessels unfortunately he never seems to have attempted to restore, and consequently we have no sketches to assist us in drawing our conclusions. We learn however that these "bone-urns" were of that common black pottery, with an ornamentation impressed by the finger, which is so distinguishing a characteristic of early Saxon graves. Certainly there is nothing in the description given which can induce a suspicion of a Romano-British, or of a Keltic origin. But in Dr. Mortimer's account of his researches on Chartham Downs—given in the "Inventorium," and also in Douglas's "Nenia"—I think we may obtain further evidence of the probable early Saxon character of these primary cremation interments. There can be little doubt that the first barrow opened by Dr. Mortimer was an example of a Saxon grave—whether the bones had been burnt, as he supposes, or not, according to Faussett. Yet in this conflicting evidence we have to choose between the official report of the Secretary of the Royal Society, and the memory of a child of ten years old, as Faussett then was. Anyhow, the Saxon character of this range of tumuli on Chartham Downs is indisputable.

In the next tumulus opened, or, to quote Dr. Mortimer, "In the barrow B was found an urn of red earth, three and a half inches wide at the top, six inches in the belly, and three inches and three quarters at the bottom; and in a large black urn there were some burnt bones. In the urns were ashes mixed with chalk. No arms were found here.

"In the barrow C were found two urns of black earth; one of them had a round lid on, flat on one side, and a little rounding on the other. These urns were broken, and their contents spilt.

"In the barrow D, which was much larger than either of the former, there was found only a black urn, and so rotten that it could not be taken up whole."

These three barrows, in an incontestably Saxon group, and manifestly not disturbed since their formation, appear very satisfactory evidence of Saxon burial

by cremation. In barrow B, the urn and its contents were found entire. In C, the urns seem merely to have been crushed by the weight of the super-incumbent earth. A lid is described on one of these urns, as was noticed with those of Newark, and occasionally with the German ones. In barrow D, the black sepulchral urn fell to pieces on being touched—a circumstance of common enough occurrence with the early porous ill-baked Saxon pottery. If, therefore, the urns in these three barrows, described by Dr. Mortimer, be considered Saxon, we are tolerably safe in attributing a like origin to the fragments of the others, which Faussett found so carefully deposited in the ends of the graves he re-opened. They probably belong to the primary cremation period of the first heathen Saxon invaders or settlers—for it is now pretty generally admitted that the Saxons had settlements in England prior to their final descents *en masse*. How long their old rites were maintained in their new homes we have no means of ascertaining. It was long before Christianity became their creed. Yet when they found themselves in contact with a people, for the most part Christian, to whom cremation was altogether abhorrent,—and when, perhaps, with increasing civilization, cremation became inconvenient to themselves,—they, not improbably, came by degrees to adopt the other rite, as we have before seen was the case with the Franks and other Germans. The cause of the change, either in England, or France, or Southern Germany, could hardly have been the lack of fuel, for forests abounded in all these countries. But as soon as a division of property ensued, and population increased, the positive necessity of free access to wood for general cremation purposes would at once be found to clash with the rights of individuals, and the forest privileges of the chieftain; hence private inconvenience and the maxims of Christianity would be found working powerfully together for the abolition of the old rite. The Charters of the Codex Diplomaticus however record these old heathen graves, and subsequent interments, probably Christian, among them[a]—just as I suppose the case to have been with the Kentish graves in question.

"The earliest Christians," says Kemble, "buried, beyond a doubt, where the earliest pagans had deposited the burnt remains of their dead. They still desired to rest among those whom they loved, or from whom they had sprung."

[a] A valuable instance of this occurs in a charter of the year 976. (Cod. Dipl. 595.) "ðonon forð on ða mearce ó Beonotleage gemære : swá on ðone hæðenan byrgels : ðonan west on ða mearce ðǽr Ælfstán lið on hæðenan byrgels." Ælfstan clearly was some Saxon of note, and most probably a Christian, whose remains were thus interred after the ancient custom, not in the "cemeteria ecclesiæ," but "ad tumulos paganorum."

From Mr. Vallance's account of Saxon remains found at Sittingbourne,[a] a portion of that cemetery must have been given up to urn-burial, and belongs, according to Mr. Kemble's judgment,[b] to the early Saxon period. But a better ascertained example of Saxon cremation presents itself in a discovery in a barrow at Coombe in Kent, about the year 1848. Here a copper vessel was found containing burnt human bones. By it were two swords, a spear-head in iron, some glass and amber beads, and part of an ornament set with garnets or coloured glass. "The swords appeared to be wrapped in cloth, and a veil of cloth appears to have been laid on the bowl, portions of which are still adhering to the edges."[c] So too a cloth was found spread over a bowl in the Alemannic graves at Oberflacht. The handsome hilt of one of these swords has been engraved in both the works, "Pagan Saxondom,"[d] and "Collectanea Antiqua."[e] It may appear somewhat abnormal in Saxon graves to find metal vessels converted into cinerary urns. Perhaps it was in accordance with the wishes of the deceased; and certainly two parallel cases may be cited in Bavaria, at Türkheim and Etringen, in the neighbourhood of Augsburg.[f] It cannot therefore be truly said that Kent presents no examples in support of the theory of Saxon cremation. We have however very much yet to learn on this subject, not only in Kent, but generally throughout England, and it is to be hoped it may meet with the careful consideration its importance deserves. Cremation is but very rarely accompanied by arms or ornaments; and old crocks with burnt bones have so little to interest the peasant who usually makes the discovery that few examples are rescued from oblivion. The Abbé Cochet even tells us that in some parts of Normandy a notion of ill-luck is associated with the finding of these mortuary urns, and that the peasantry have been known to break them up, believing them the work of sorcery.[g] Kemble too alludes to the remains of some such feeling in Hanover. On the other hand, again, inexperience has doubtless often attributed examples of Saxon cremation to the Keltic or Romano-British periods.

If however no positive examples of the practice of this rite had been met with in England, or if no more should ever again occur, I firmly believe an attentive

[a] Collectanea Antiq. i. p. 98.

[b] Kemble's Burial and Cremation, in Archæological Journal, vol. xii.

[c] Proceedings of the Bury and West Suffolk Archæological Institute, vol. i. p. 27.

[d] Plate xxiv. p. 47.

[e] Vol. ii. p. 164.

[f] Wilhelmi's Sinsheim Reports, 1846.

[g] La Normandie Souterraine, p. 142.

examination of our own local nomenclature,[a] especially considered in connection with the universal usage of the old German father-land, would suffice to establish a right belief on this point.

If these views on the early cremation practice of Saxons in this country had merely been my own, I should not have presumed to speak so unhesitatingly. But I have only attempted to carry out the early opinions of Douglas,[b] since so well developed in the works of Mr. Roach Smith[c] and Mr. Akerman,[d] to whose labours we owe much of our present information on Saxon archæology. Most present will be already aware of the interest taken also by our friend the late Mr. Kemble in this subject. It is indeed peculiarly his own, and I cannot conclude these imperfect notes more fitly than in his own words. "If," he says," "we continue our comparison, and examine the articles found with these urns, we shall find an equally striking agreement between the German and the English interments.

"If we are inclined in England to attribute them to the Anglo-Saxons, much

[a] "The names to which I now have to refer you are these :—

1st. Those compounded with A'd, *the funeral pile*, *strues rogi*, the actual burning-place of the dead :

A'deshám, now Adisham, in Kent. Cod. Dip. 983.
Ædes wyrd, in Worcestershire. Ib. 1,062.

2nd. Those compounded with Bǽl, which is nearly equivalent in meaning to A'd :

Bæles beorgh, in Gloucestershire. Cod. Dip. 90.
Bæle. Cod. Dip. 765.

3rd. Those compounded with Bryne, the *combustion*, *burning*; or brand, which is nearly equivalent to it :

Brandes beorgh. Cod. Dip. 1,335.
Brynes cumb. Ib. 457.
Brynes hám. Ib. 675.
Brynes hyl. Ib. 1,094.
Brynes sól. Ib. 1149.
Brynes stede. Ib. 204.
Brynenja tún. Ib. 1152.

4th. Those compounded with Fin, which, like A'd, denotes *the pile itself*, *strues rogi:*

Finbeorgh. Cod. Dip. 468.
Finestún. Ib. 520."

From Kemble's "Notices of Heathen Interments in the Codex Diplomaticus" in Arch. Journal, vol. xiv. p. 135.

See also on this subject of nomenclature, Grimm, "Über das Verbrennen der Leichen," p. 41.

[b] Nenia Britannica.

[c] Collectanea Antiqua, vols. i. ii.

[d] Archæological Index. Pagan Saxondom.

more must we attribute them in Germany to the race from which the Anglo-Saxons came. Roman they cannot be in Germany, for they are found where Romans never came. Slavonic they probably are not, for they are found in countries were the Slaves never had lasting settlements, and bear no resemblance whatever to what is commonly found in lands where the Slaves were settled from the commencement of our historical period. Keltic they are not, for there is no record of Kelts in North Germany at all; and what little we do know of Keltic art has nothing in common with these forms. But if they are none of these they are German; and if they are German, so are the similar ones in England: in other words we have here a second group, namely, that of 'The Burnt Germans of the Age of Iron.' And two classes of interments are shown to belong to the Anglo-Saxons; one in which cremation was, one in which it was not practised.[a]"

[a] Kemble, Burial and Cremation.

XXX. *Notices of the Tower of London temp. Elizabeth, and the Horse Armoury temp. Charles I. In a Letter addressed by* Wm. Durrant Cooper, *Esq., F.S.A. to Robert Lemon, Esq., F.S.A.*

Read February 18, 1858.

81, Guilford Street, Russell Square, London,
15th February, 1858.

My dear Sir,

The facilities which you have afforded by the publication of your Kalendar for the public use of the valuable documents preserved in the State-Paper Office, relating to the first half of Queen Elizabeth's reign, and your kindness in permitting me to make extracts from your own book of MSS. on ancient armour, consisting of the scattered Exchequer documents, enable me to send to our Society some notices of the Tower of London and of the armouries there and at Greenwich, which are very interesting in themselves, and are chiefly of a date forty years earlier than the lists communicated by William Bray, Esq. F.S.A. to our Society, and reprinted by Meyrick from the Archæologia.[a]

It was only after Elizabeth's public entry into London from Hatfield and the Charter House, on her accession in Nov. 1558, and her return from Westminster to the Tower on 12th January following, preparatory to her procession to Westminster on the 14th, the day before her coronation, that the Tower of London was used as a royal residence in her reign. It was, however, during all her reign the chief arsenal, the principal depôt for the ordnance and armoury, the depository for the jewels and treasures, the site of the Mint, the place where the public records were preserved, and the most important state prison.

Then, as now, it was one of the sights for strangers and foreigners. Hither it was that M. de Foix, the French Ambassador, (who was sent to this country in 1571 and placed under the attendance of Lord Buckhurst,) was taken to visit the stores; here, on 2nd Sept. 1571, he was entertained with a banquet; and hence he departed with a discharge of ordnance. Paul Hentzner was also a visitor in 1598, and has left an account of what he saw here.

I will proceed to notice in order the state of the several departments in the days of Elizabeth.

[a] Vol. XI. p. 97. Mr. Bray's lists are only extracts from the document, the original of which has since been found in the Audit Office. It is printed at length in the Archæological Journal, vol. iv. p. 341.

The Ordnance—

On 13th Sept. 1559, an account was taken of "the store of all sorts and kinds of ordnance in the Tower, and a memorial of what was required for the next year," which was—

The Store.		*The Provisions to be new bought.*	
"*Brasse Ordnance for the Field—*			
Canons mounted	7	To be new made	13
Demi canons	13	„ „	4
Culverings	14	„ „	nil.
Demy culveryns	13	„ „	7
Sacres	38		
Mynions	7		
Fawcons	30		
Fawconetts	5	„ „	nil.
Connemorters	2		
Baces	4		
A piece shooting 7 bullets	1		
	134 pieces.	Total required	24

"*Brasse Ordnance*, mounted for the Elizabeth-Jonas and other ships—

"Demi-canons, 8; canons pereares, 6; culverings, 3; demi-culverings, 5; fawcons, 2; to be new made, *nil.*"

The casting and making of the 24 new pieces of brass would cost 483*l.* 10*s.*

Cast Iron Ordnance—

Demi-canons, 2; culverings, 2; demi-culverings, 12; sacres, 8, to be new made, 10; morter piece, 1; fawcons, *nil*, to be new made, 12.

The estimated cost for the 22 new pieces was 128*l.*

The cast iron cost only 10*s.* the cwt., whilst the brass cost 70*s.* the cwt., and it was on this account that one-half of the new ordnance was proposed to be of cast iron.

"Bombardes, 3; porte peces, 66; slings, 6; demi-slings, 36;" no new required.

"*Forged Ordnance of Iron—*

"Quarter slings, 6; fowlers, 43; baces, 137; harquebutts a croche, 80; harleshotte pieces, 80; harleshot pieces upon mytches, 5;" no new required.

"*Harquebutts, Currions, Daggs, and Matches—*

"Double harquebutts, 80; guilt harquebuts, 397; to be new bought within the realm, 400; the peeces made w^in the realm are double as good as any other; currions, 400; daggs, 3,500, to be provided in Flanders, 300; matches, 19,237."

The new supply was very readily obtained, and we find that on 25th Nov. 1559, there was delivered into the Tower, from Anthony Bukman and Edward Castelyn, of London, merchants, the following brass ordnance:—

"4 demi-culveringes; 8 sacres; 4 mynnions; 4 fawcons; and 8 fawconettes, with 800 lbs. of serpentine powder at 8*d.* the lb., and 475 lbs. of corne powder at 10*d.* the lb."

In the return of 13th Sept. there is also set forth the store of cannon shot, of cross-barred shot, shot of stone, serpentine and corne powder, saltpetre, brimstone, and coal powder to make powder; copper, what was wanted, to be provided from Flanders, bell-metal, and tin.

Artillery, viz.—

Bows, 11,525, to be bought in Flanders, 1,000.
Bowstrings, 116 gross, to be bought at 6*s.* the gross.
Arrows, 11,893 sheafs to be bought, 4,000 sheaves at 2*s.* the sheaf.
Black bills, 7,900, to be bought at 16*d.* the piece.
Morrispikes, 14,647, to be bought, 1000 at 2*s.* the piece.
Cullen cliffs, *nil*, to be bought in Flanders, 6,000.
Demi-lance staves, 600, to be made, 2,000 at 18*d.* the head and making.
Northern staves, 825, to be made, 3,000 at 12*d.* the piece.
Topdarts, 180 dozen, none to be made.

Also felling-axes, hedging-bills, miners' tools, scythes, and many more working tools.

The charges of artificers and labourers, together with land carriage, cooperage, and other charges, amounted to 300*l.*

And the whole estimated cost of things required amounted to no less than 10,870*l.* 4*s.* 5*d.*

From the book in MS. containing an account of ancient armour, belonging to you, and so kindly lent to me, I am enabled to give a fuller account of the prices of armour and artillery in the same year, 1559, as regulated for purchase from the Tower stores.

"The armo^{r} of a demy-lance,[a] 53*s.* 4*d.*; a corslet, 30*s.*; the currier complete, 16*s.* 8*d.*; harquebutt complete, 8*s.*; dagg complete, 16*s.* 8*d.*; corne powder p^{r} lb. 10*d.*; match p^{r} pound, 3*d.*; a bowe of yewgh, 2*s.* 8*d.*; bowe-strings a doz. 6*d.*; liverie arrows the sheyf, 22*d.*; morrion pike, 2*s.*; a demy-lance staffe, 3*s.* 4*d.*; a northren staffe, 2*s.* 6*d.*; a black bill, 16*d.*; a hallbard, 6*s.* 8*d.*; a morrion the peer, 6*s.* 8*d.*; almayne rivett, 10*s.*; sculls the peer, 12*d.*"

[a] For description of these arms, see Archæologia, vol. XXII. p. 59.

It will be seen that the price of the arrows to the Government was 2*s.* a sheaf, but as the regulated price to persons raising troops was 1*s.* 10*d.* only, and the full charge of 2*s.* was made, Sir H. Neville on 6th June, 1560, complained to the Council of the charge.

The want of space within the Tower for the ordnance was soon felt, and to give more room a grant was made to Sir Edward Warner, the Lieutenant of the Tower, of the mastership of the adjoining hospital of St. Katherine, vacant by the resignation of Dr. Mallett.[a]

The yearly charges of the Tower returned to the Council in 1560, after the order then lately taken in the time of Queen Mary, were as follow :[b]—

	£	*s.*	*d.*
" First, the constable, who is now called the lieutenant, by the year .	200	0	0
Item, one gent. porter at 16*d.* by the day, sum by the year . .	24	6	8
Item, one livery and watch livery for the said porter yearly . .	5	0	0
Item, 38 yeomen warders at 8*d.* by the day, sum by the year .	462	6	8
Item, liveries and watch liveries for the said 38 yeomen warders, every of them 5*l.*	190	0	0
Item, for fuel for the ward house by the year . . .	0	53	4
Sum'a . . .	884	6	8"

The yearly charges of the Tower of London set forth in February, in the second year of Queen Elizabeth, were—

	£	*s.*	*d.*
The lieutenant and gentleman porter's fees and allowances remained the same, making a cost as before of	229	6	8
But there were only 20 yeomen warders at 8*d.* by the day . .	243	6	8
Item, for 20 liveries for the said warders at 5*l.* per year . .	100	0	0
Item, to charge the lieutenant with 20 men, to keep watch and ward with the queen's 20 warders, for which he shall have of the revenues of St. Katherine's by the year 200*l.* and paid to him more out of the receipt 100*l.*	100	0	0
For fuel for the ward house for the year	3	6	8
Sum'a . . .	676	0	0

" So is there increase of two men to keep the watch and ward, and the queen shall save yearly of the former 208*l.* 6*s.* 8*d.*"

[a] Sir Edward Warner had also the stewardship of the Manor of East Smithfield.

[b] Domestic, Eliz. vol. xi. No. 19.

The way in which the surplus was obtained from the revenues of Saint Katherine's is thus shown:—[a]

The whole yearly value of all the lands and possessions[b] was 352*l.* 9*s.* 1*d.* out of which there was spent the sum of 140*l.* 5*s.* 8*d.* yearly, (viz.) for the priest to serve the cure 20*l.*; three sisters at 8*l.* a-year each; 10 poor women, each 45*s.* 6*d.* by the year; 40*s.* for pertinances to the said poor women; 8*l.* for clerk to serve the church; the bayliff's fee, the under steward, the high steward, the receiver general, the 10ths to the queen, for repairs, and for reparations and charges of the church; and to a learned councillor 40*s.* yearly.

So there remained 212*l.* 3*s.* 5*d.*, whereof 12*l.* 3*s.* 5*d.* were left to the master to bear out and supply all wants of the former charge, and the clear balance was then 200*l.*

The arrangement did not last long, for on 7th Nov. 3rd Eliz. 1561, the mastership was given to Dr. Thomas Wylson, the queen's secretary;[c] and by the certificate of Sir Owen Hopton, the Lieutenant, to the Council, it appears the number of warders was reduced to 30.

On 15th March, 1562, a part of the Ordnance Office, within the Tower, having given way from being overladen, the Marquess of Winchester purchased the neighbouring mansion-house and grounds, which had belonged to the dissolved monastery of the Minories without Aldgate, for a store-house, and on 22 Sept. 1563, conveyed it to the Queen; a communication with the Tower itself being formed through the iron gateway to St. Katherine's. And in 1564 a new platform was erected for the ordnance.

It will not fail to be noted that iron ordnance, which had been first cast in 1543, at Buxted, in Sussex, by Ralph Hogge, assisted by Peter Bawde, a Frenchman, and his covenanted servant John Johnson, and the memory of whose works, of which two specimens are still existing in the Tower, is preserved in

> Master Hogge, and his man John,
> They did cast the first can-non.

had come rapidly into favour, contrasting very favourably with brass ordnance in point of expense; and that we were indebted to Flanders not only for our supply of bows, but also for what our own isle can now most abundantly furnish, copper,

[a] Domestic, Eliz, vol. xi. No. 21.

[b] The yearly value, as returned 26th Hen. VIII. above all reprisals, was 315*l.* 14*s.* 11*d.* The return of 1560 is printed. See Ducarel's History of St. Katherine's, Bibl. Topog. No. V. pp. 96 and 119.

[c] Ducarel, p. 22.

and likewise daggs, whilst the harquebuts of England were twice as good as any other.

The next important store was the ARMOURY. Immediately after the Queen's accession, and on 25th March, 1559, a commission was issued to Sir William Seyntlo, Captain of the Guard, and Sir Peter Carew, for a survey of the Tower, and the officers and ministers of the same; and on 1st July following Sir Edward Warner, Lieutenant of the Tower, and Thomas Stanley, Comptroller of the Mint, reported that the Great Mill, erected by Mr. Brocke, was the fittest place to build a convenient armoury.

The following is the record of the armour on 13th October, 1559, forty years before the return printed by Meyrick, and before the great increase forced upon this country by the resistance to Spain.

"The store of Armure w^th^in the Towre of London, the said day and yere, wth a remembrance of suche Armure as is nedefull and necessarie for the better furniture of the said Armarie, videlicet:—

Store.		*Provisions to be made.*	
Demylances complet	1,800	To be boughte and provided	200
Corslets complet	1,966	To be provided	3,034
Almayne rivets	200	„ „	nil.
Shirts of maile	71	„ „	929
Jacks	1,020	To be boughte	nil.
Brigendens	500	„ „	nil.
Sleves of maile	480pr.	„ „	20 pr.
Murrions	2,000	To be provided	1,000
Skulles	2,643	To be boughte	nil.
Stele saddles	340	To be provided	260"

In a note to a similar return, on 17th November, 1559, it is stated that 1,399 corslets had been received from Mr. Gresham since the first January past, and there were also,

Shaffrons	360	Rother barbes	89

Mr. William Winter was Vice-Admiral of the Fleet then fitted out, and sent in January following to Leith Roads, to act against the Scots and French; in his charge we find these additions then in use for the fleet under his command:—

"Corslets complete and blacke	500	Almaigne rivets	1,000
Jacks	1,000	Murrions	1,430
Skulles	240	Do.	1,000
Shirts of mayle	400	Steele saddles	103 score."

The other armouries were at Portsmouth, Southsea Castle, Berwick, Newcastle, and Hull, and there were private armouries, for the Queen's personal guard, at Westminster, Hampton Court, Greenwich, &c.

On 16th February, 1559, is an account of the complement of armour thought meet and necessary continually to be reserved within the Tower of London for the preservation of the Queen's most royal person:—

"Demi-lances complete, 500; corslets complete, 5,500; brigendens, 500; jacks, 500; shirts of mail, 500; murrions, 4,000; steel saddles, 500; sleeves of mail, 1,000 pair."

And after giving what existed, there were wanted,

"Corslets, 4,900; shirts of mail, 450; murions, 3,000; steel saddles, 260; sleeves of mail, 540 pair."[a]

On 20th December the quantity had greatly diminished by deliveries made to the Lord Treasurer, to Adrian Poynings, and for the furnishing of Berwick preparatory to the advance of the English forces, under the command of Lord Grey of Wilton, "a man valorous in warre and in peace courteous; great both in birth and estate, but greater in courage; in counsaile a commander, a soldier in arms."

On 26th August, 1580, Sir Owen Hopton the Lieutenant, H. Killigrew, John Hawkins, and William Holstock, having then viewed the state of the Armoury, recommended the making of rooms in the Great White Tower, for placing and hanging up of all the armoury, and sent an estimate for reforming and putting it all in order. This was the armoury used prior to the New Armoury burnt down in 1841, of which James II. laid the foundation, and William III. celebrated the opening.

In Elizabeth's reign there is no list of the horse armoury at the Tower, though the existence in 1598 of armour for horses is mentioned by Hentzner;[b] in the reign of Charles, however, full suits of horse armour were kept at Greenwich. Mr. Lemon's interesting MS. shows us exactly what existed at the latter place in 1631, and that the armour was chiefly composed of suits made for persons of note in Elizabeth's reign and subsequently. The MS. bears the title of, "The Remayne of his Majesty's Armour, and other munition or habilaments of war, in

[a] Domestic, Eliz. vol. xi. No. 5.

[b] "Lanceæ holoserico rubro et viridi tectæ, cum Henrici VIII. Angliæ Regis armaturâ; arma multa et egregia; tam pro viris, quàm pro equis in equestri pugnâ; lancea Caroli Branden Suffolciæ, quæ tres spithamas crassa erat." Hentzner, Itinerarium. Breslau, 1617, p. 130. An inventory of the armour in the Tower and at Woolwich, taken on the accession of James in 1603, is printed in Jordan's Hist. of Enstone, Oxon. p. 105.

the Armory of the Tower of London and Greenwich, in the charge of Sir Thomas Jaye, Knt. Master of His Majesty's Armory, taken, numbered, and told in the months of December, January, and February, 1630-1." It appears that a portion at least of what we now see in the Tower was at Greenwich.

The list is thus given:

In the Green Chamber at Greenwich were 12 suits;

1. "Upon one horse one harnesse compleate for the feild, parcell guilte and peell graven; the horse's furniture being a barbe, crinett,[a] shaffron, and steele saddle; and for the man a double heade-peece and all peeces of advantage to the same, and a base of blacke velvett imbrodered, and a bridle with guilte bosses.

2. "Upon another horse one harnesse for the tilte, parcell guilte and graven; the horse's furniture being a saddle, barbe, crinett, and shafforne of steele silvered and guilte; and for the man 2 grangardes, 2 pasgardes, 2 mainefeeres, 2 peer of vambraces, 2 peer of cushes, 2 headpeeces, 2 close gauntletts, a cod-peece, a breeche of steele, with a base of black velvett, and bridle with bosses.

3. "Upon one other horse, one harnesse for the tilte and feild, parcell graven, and sett with white and guilte nayl; the horse's furniture being a saddle and barbe of steele plaine, a crinett, and shafforne scaled, with a base as before.

4. "Upon one other horse, one tilte and feild armor graven with the ragged staffe, made for the Erle of Leicester; the horse having a steele saddle and a foreparte of a barbe plaine, a crinett, and shafforne parcell guilt and graven, with a hinder parte of a horse made of plates of steele, and a bridle.

5. "Vpon one other horse one white feild armor compleate, made for the Erle of Shrewesbury; the horse having a steele saddle Turkey fashion, the fore part and a hinder prte of a barbe of steele plaine, a crinett, and a shaffron peell guilte.

6. "Upon one other horse, one white tilte armor, made for the Lord of Kildare; the horse having a rattle, barbe, crinett, and shafforne of steele plaine, and a bridle with guilte bosses.

7. "Upon one other horse one demi-launce compleate; the horse having a steele saddle, a barbe of steele, blew drawne with antique worke, a crinett of the same worke, and a shafforne parcell guilte and graven.

8. "Upon a horse one demi-launce compleate; the horse having a plaine steele saddle, a crinett, and shafforne parcell guilte.

9. "Upon one other horse one demi-launce compleate, the horse having a crinett, and shafforne parcell guilte.

[a] "Crinière, a cranet, armour for the neck or mane of a horse." Cotgrave.

10. "Upon one other horse one demi-launce compleate, lacking a heade-peece; the horse having a plaine steele saddle, crinett, and shafforne.

11. "Upon one other horse one feild armor, of an old fashion, with a base of steele; the horse's furniture being a barbe, crinett, and shaffron; all being silvered and guilte.

12. "And upon one other horse one old fashioned armor, called a trundlett, parcell guilte and graven."

In the Great Chamber, late Mr. Pickering's, were 9 suits.

1. "One armor compleate, given by Sir John Smith[a] to King James, viz. backe, brest, almaigne coller, burgonett, muryon, sleeves of maile, steele for a saddle, a shafforne, a guilte target, 1 paire of long cushes, one paire of shorte cushes, 1 paire of guilte sturrops, and 1 case of pistolls, and a truncke, the pistolls unserviceable.

2. "One feild armor compleate, guilte and chaced, given by Sir Frauncis Veare[b] unto Prince Henry, in a chest lyned within and without with redd cloth.

3. "One guilte, graven, and damasked armor of the Kinge's for the feild compleate, the whole armor laid with bosses of gould, 6 bosses only remaynyng on the coller, and all the rest either lost or taken from the coller and armor, in a chest.

4. "One small feild armor guilte, graven, and *enamelled*, wanting the 2 gauntletts, given by Prince John Voyl[c] to Prince Henry.

5. "One white tilte and feild armor of King James compleate, in a truncke, except the mainefeere and both gauntletts.

6. "One tilte white armor, made for the Earle of Desmond, wanting gauntletts.

7. "One tilte armor, parcell guilte and graven, given to Prince Henry by the King of Fraunce,[d] compleate, in a trunck, excepting gauntletts and mainfeere.

8. "One guilte and graven tilte and feild armor compleate, excepting feild

[a] Author of Instructions Militarie. 1595.

[b] Renowned for his military services in the Low Countries; 15th June, 1606, he was appointed Constable of Portsmouth Castle and Lieutenant of Southbear Forest, Hants, for life; he was also Captain of the Brill, and died on 28th Aug. 1609.—Mrs. Green's Cal. 538, &c. His tomb, with a slab bearing his armour, is in Westminster Abbey.

[c] Charles de Lorraine, Prince of Joinville, brother to the Duke of Guise, came into England May 8, 1607 (Camden's Annals), and was present when the house of Theobalds was surrendered by the Earl of Salisbury to King James I. with a poetical entertainment written by Ben Jonson on the 22nd of the same month. (Nichols's Progresses, &c. of James I. ii. 128.) He stayed here some time, and on his return made his present to Prince Henry mentioned in the text, which the Prince acknowledged by a letter of thanks, dated on the 11th February following: "I perceive, my Cousin, (he writes,) that during your stay in England you discovered my humour; since you have sent me a present of the two things which I most delight in, arms and horses."—(Birch's Life of Prince Henry, p. 100.)

[d] Louis XIII., for a marriage with whose sister to Prince Henry negociations took place.

heade-peece, one poldron, one vambrace, 1 gauntlett, 1 vamplett, given by Sir HENRY LEE[a] to PRINCE HENRY.

9. "One parcell of guilte armor for the tilte of the KINGES, in a cheste of deal.

In the Harness Chamber.

1. "One guilte and graven old armor for the feild, compleate, wanting one gauntlett.

2. "Diverse parcells of the EARLE of PEMBROKE's armor, viz., one tilte heade-peece, one granguard, one passguard, one mainfeere, one turning gauntlett, and one shafforne.

3. "One footeman's armor compleate, made for KING HENRY THE 8TH."

This is the armour mentioned by Hentzner as having been in the Tower in 1598.[b]

4. "Tilte armor rough, unfinished, for his MAJESTY when he was Prince.

5. "White tilte armor compleate for the KING when he was Prince.

6. "Litle armor made for PRINCE HENRY.

7. "Tilte armor said to be Mr. ALEXANDER'S."[c]

This armoury did not suffer so much in the Civil Wars as has been supposed, for in the inventory taken in October, 1660, when the horse armour had been removed to the Tower, we find that Henry the Eighth's foot armour was existing, and rightly described, as were also the suits made for the Earl of Leicester, Prince Henry, Charles I and James; but the remaining pieces of horse armour, instead of being simply described as in your MS., and having such names as the Earls of Shrewsbury, Pembroke, and Desmond, and Lord Kildare, had mounted to a much higher traditional antiquity, and had come to the fabulous honour of having been made for Charles Brandon Duke of Suffolk, (Hentzner only saw his lance of three spans thick,) King Henry VII., Henry VI.,[d] Edward IV. and Edward III., and one suit of white was antedated to the time of William the Conqueror. I am afraid that we may trace down to our own times this same

[a] Sir Henry Lee was master of the armouries to Queen Elizabeth and James. The particulars of his life are to be found in the Parochial History of Enstone, Oxon. by the Rev. John Jordan, p. 101. Writing from Ascot, 27th Sept. 1608, John Chamberlain tells Dudley Carleton that Queen Anne had dined with Sir Henry Lee, "at his *Little Rest*," who had that summer presented the Prince "with an armour that stood him in 200*l.*"—Progresses of King James I. ii. 210.

[b] Hentzner, p. 130; Archæologia, XI. p. 97; and Meyrick, iii. p. 129.

[c] The Alexanders, alias Zinzan, Henry and Sir Sigismund, were equerries to James the First, and usually engaged in the yearly tilts and other chivalric exercises.

[d] This on examination turned out to be made for Henry VIII. and is fully described by Meyrick in the Archæologia, vol. XXII. p. 106, where parts are engraved.

mythical chronology of the horse armoury. May I hope that your list will serve to identify some at least of the armour, and to fix more accurately the dates?

I must return however to some details of other departments in the Tower under Elizabeth.

In the twenty-second volume of the Archæologia[a] is given a memoir upon the King's JEWEL HOUSE, with an account of the ancient rights of its master and treasurer. The vaults under the Jewel House were used for the reception of the gold and silver captured from the enemy, and accordingly we find that in 1569 the Spanish moneys and silver bullion were brought from Dartmouth and laid up in a vault under this house; and when in Nov. 1580 the large treasure was brought home by Sir Francis Drake, it was moved to Sion House, and then, on 24th December, deposited in these vaults, the silver bullion in ingots weighing 22,899 lbs. 5 oz. and the coarse silver 512 lbs. 6 oz., and the gold bullion 101 lbs. 10 oz.

The RECORDS were deposited in the Great Tower, and Edward Lord Stafford took great pains to arrange them; but in 1564 Edward Bowyer, who claimed to be keeper, took the key away from Lord Stafford's servant, and demanded the sole charge. Bowyer was evidently a zealous custodian, and, being patronised by the Marquis of Winchester, proposed, on 11th April, 1567, to bring hither the records of the Chancery and of the Parliament, and on 19th July in the same year the Marquis sent to the Council an estimate of the costs for repairs in the Great Tower for the preservation of those records, which have fortunately come down to our day, and contain the most perfect State records of any country.

The STATE PRISON was at the commencement of the reign the most interesting portion of the Tower. The particulars of the State prisoners are so amply given by Bayley that I will only add a few facts. The bishops who had been deprived by Queen Elizabeth for refusing to take the oaths to her were not disposed to remain very quiescent, and on 20th May, 1560, the Bishops of Lincoln and Worcester, and Feckenham the Abbot of Westminster, were received into the custody of the Lieutenant of the Tower;[b] on 3rd June came the Bishop of Ely; on the 10th of the same month Heath, the ex-Chancellor and Archbishop of York; and on the 18th June three more, viz. the Bishops of Exeter and Bath, and Dr. John Boxall, late Dean of Windsor and Secretary to Queen Mary. Though they

[a] Page 114.

[b] In the State Paper Office is a paper (Domestic, Charles, 1625? vol. xiv. no. 50) giving the names of the Lieutenants of the Tower of London in the several reigns of these kings and queens following, which supplies a defect in Stowe, and differs in some respects from Bayley:—

were not treated with any great hardship, being admitted to dine together at two tables of four each,[a] they are stated by Strype[b] and Burnett to have been committed after a little time to easier restraints, and some restored to their perfect liberty; but it is certain that they were in the Tower for more than two years, since they were still prisoners on 5th Sept. 1562, when a further return was made to the council.

I will not detain you by anything more than a reference to the names of Lady Katherine Grey, Matthew Stewart Earl of Lennox, and afterwards of Lady Margaret his wife, of the Earl of Hertford, "whose small allowance of liberty put the Earl of Lennox, who was strictly confined, in extreme passion;" of the Whartons and the Waldegraves, who had been privy councillors to Queen Mary, but now, with the Stradlings and others, found a prison for persisting in hearing mass; of Henry Howard, of whom Sir Edward Warner reports to the Council, 26th May, 1561, "his faults be known to your lordships well enough;" of the Duke of Norfolk; of the Nortons and other leaders of the Northern rebellion of 1569; of the Earl of Desmond and his brother; of Dr. Story, Sir Walter Raleigh, the Earl of Essex, and others.

That the Tower was not a very wholesome place of confinement is pretty evident from the fact that the plague broke out, and on 21st August, 1563, orders were given for the removal of Lady Katherine Grey to Sir J. Grey's house, the Chekers, in Essex, whence she was brought back to the Tower in 1565 to die broken-hearted; and of the Earl of Hertford, who was on 21st August, 1563, taken to his mother's house in Middlesex, but he was brought back on 26th May following. Again, in July 1570, the Duke of Norfolk complained of the noisome air, and on 3rd of August he was removed to his own mansion at the Charterhouse for fear of the plague.

Yet there was one class of prisoners of whom no special notice has been taken,

King Henry VIII.—S[r] Robert Cholmeley, S[r] Edm. Walsingham, S[r] Will. Sidney, S[r] Antho. Knevett, (Walter) Stoner.

King Edward.—S[r] John Gage, S[r] John Markham, S[r] Arthur Darcy, S[r] Edw. Warner.

Queene Mary.—S[r] John Bridges, S[r] Tho. Bridges, S[r] (Hen.) Benefeild, S[r] (Rob.) Oxenbridges.

Queene Eliz.—S[r] Edw. Warner, S[r] Rich. Blount, S[r] Francis Jobson, S[r] Owen Hopton, S[r] Michael Blount, S[r] Drew Drury, S[r] Rich. Barkley, S[r] John Peyton.

King James.—S[r] Georg. Harvey, S[r] Will. Waad, S[r] Gervis Helvys, S[r] Georg. Moore, S[r] Allen Apsley.

King Charles.—Idem S[r] Allen Apsley.

To which I may add from other sources (Thomas's Hist. Notes, 613), Sir W. Balfour, removed 1641, 20 Dec.; Col. Lunsford, removed 1641, 26 Dec.; Sir John Byron, removed Jan. 3, 1641–2; Sir John Conyers.

[a] Return of all prisoners, 26th May, 1561.

[b] Strype's Annals, i. pt. 1, p. 211.

and with them I will conclude. I refer to those who, by the practice of alchemy, proposed to add to or imitate the Queen's coin, or who otherwise sought to counterfeit it.

The chief of these was Cornelius de Lannoy, an alchemist, who gravely proposed to the Queen to put in operation the wonderful elixir, and to make any metal into gold and gems. He so far succeeded with her as to be allowed to carry on his works at Somerset House: of course he failed, and on being reported to have greatly abused the Queen's confidence, was committed to the Tower in 1566, where he still professed to be able to perfect his experiments, had it not been for the obstacles thrown in his way.

In July, 1570, two other alchemists, who had been inclined to practice on their own account, were also favoured with an asylum here: they were John Bulkeley, a student at Oxford, and William Bedo, a stationer, who proposed to cast a figure for the recovery of lost money, and professed to have many alchemical secrets for diminishing and lessening the coin of the realm by sweating, &c.

The hardest case, however, was that of one John Vaudon, committed on 1st June, 1560. "This man," reports Sir Edward Warner on 26th May, 1561, "was brought in with one Gwillam Ogier, the which Gwillam had made certain counterfeit Spanish money in Cowdry, my Lord Montague's house (in Sussex), and the said John Vaudon did help him to a piece of old pewter dish to make it of, and was privy unto it. The said Gwillam was committed to the King's Bench, and is broken prison long since and gone. This poor man is a very simple creature, of no capacity, so it were a great charity of the Queen's Majesty to grant him his pardon and set him at liberty, and the rather that the principal offender has escaped." So thought also the Council, and in the next list of prisoners the name of simple John Vaudon has disappeared.

I remain, my dear Sir,

Very faithfully yours,

WM. DURRANT COOPER.

XXXI. *Extract from a Record explanatory of Grants by Henry II. and Edward I. to certain Ostmen in Waterford of the privilege of "Lex Anglicorum in Hibernia." Communicated by Sir* THOMAS PHILLIPPS, *Bart., F.S.A.*

Read February 26, 1857.

THE original record, from which the Extract that follows was taken, has been preserved in the Bermingham Tower, Dublin. It contains the Pleas of the Crown and Gaol Delivery at Waterford, before John Wogan, Justiciary of Ireland, on Thursday the morrow of St. Matthias the Apostle (February 25), in the fourth year of the reign of Edward II. (1311), and will be seen to be somewhat illustrative of the social condition of the inhabitants of that part of Ireland at the time of the invasion by Henry II. and also at the commencement of the fourteenth century.[a] The Ostmen mentioned in it were the descendants of the Norwegians, commonly spoken of as Danes, who had many years before formed permanent settlements on the coasts; as to whose history Worsaae's volume on the Danes and Norwegians in England, Scotland, and Ireland may be consulted with advantage. A few preliminary observations may serve to render the document more readily intelligible.

One Robert le Waleys, clerk, had killed one John, son of Yvor MacGillemory, and on his trial at Waterford he admitted having killed the deceased, but pleaded that it was no felony, because he was a mere Irishman and not of free blood, and that he would be ready, on the demand of the lord whose Irishman John was at the time of his death, to pay for him as justice required. To this, one John, son of John, son of Robert le Poer, who appeared for the Crown, replied that the deceased was entitled to the benefit of the law of the English in Ireland; and he alleged in support of such reply a charter of Henry II., and another of Edward I. which recited and confirmed the former. The latter only was produced, and by it that privilege was granted to Gillecrist, William, and John MacGillemory, and other Ostmen of the city and county (or of the citizens and commonalty) of Waterford who were descended from certain Ostmen of King Henry II. of the

[a] It is due to Sir Bernard Burke, Ulster King of Arms, to state that by his kindness an opportunity has been afforded of collating the Extract here published with another gratuitously furnished by him from the original roll, which is among the records under his care in Dublin.

surname of MacGillemory. And the prosecutor prayed judgment against Robert le Waleys for the death of John, son of Yvor MacGillemory, who, he said, was of the family of the Gillecrist, William, and John MacGillemory named in the charter produced. The Justiciary, however, referred the matter to be inquired into by a jury, and from their answer we learn the occasion of the original charter. It appears that when Henry II. first went to Ireland, there was a certain (Ostman) chief, named Reginald (or Reynold) MacGillemory, who resided at Reynaud's Castle near the port of Waterford, where in the jurors' time there was an ancient deserted *mote*, and, having heard of the king's coming, and of his intention to land his army at Waterford, endeavoured, by means of three large iron chains thrown across the harbour, to frustrate the attempt. The King succeeded, and, having taken Reginald and his adherents prisoners, he hanged them as rebels: and he expelled all the other Ostmen whom he found dwelling in the city, except one faithful man named Gerald MacGillemory, who lived in a tower, which at the time of the inquiry was very old and ruinous, opposite the Friars Preachers' Church within the walls. To those expelled the King assigned certain places without the walls for their abodes, and they built there a town, which at the time of the inquiry was called the Town of the Ostmen of Waterford.[a] Within the city the King placed divers men who had accompanied him, and granted them various privileges. In consequence of the great fidelity of the Ostman Gerald MacGillemory, he had security for life and limb, and he and his people were allowed to continue to reside in his tower within the walls. Sometime after Henry had gone back to England, probably on a Sunday or some holiday, when many of the citizens had come out of the city with their wives and others of their families to divert themselves in the fields, the Ostmen that dwelt outside the walls attacked them, and, having killed the men, carried off their wives. This led to a war between the citizens and the Ostmen of the Ostmen's town, which lasted a considerable time. Gerald MacGillemory, who was still living in his tower, faithfully defended the city, as well against the Ostmen who had been expelled, some of whom were his kinsmen, as against all others who were on their side, until the King's second arrival. Henry, having heard of his fidelity, upon his request granted to him, and to others of his kindred who were Ostmen of Waterford, that they should thenceforth have the benefit of the law of the English in Ireland. The jury found also (among other things) that the deceased was a descendant of the Gerald MacGillemory to whom the original grant had been

[a] There was an Ostmen's town also by Dublin, now Oxmantown, and, according to Sir John Davys' Reports, fol. 23 verso, there were the like at Cork and Limerick.

made; and that he was killed by the accused Robert le Waleys, because he had been one of a jury who had charged the accused with being a robber, and harbouring robbers; and also that all the MacGillemorys were reputed to have come from Denom or Devoin (for the word is obscure) in Ireland, long before the conquest of it by the English. The result was, that the accused was sent back to prison to await judgment, but was afterwards let out on bail.

The charter of Edward I. has been quoted by Leland in his History of Ireland,[a] as shewing that Henry II. had granted great privileges to the Ostmen who were the inhabitants of Waterford, as if the inhabitants generally were Ostmen. Evidently the writer was not aware of the privilege having been confined to a particular family, or of the citizens having been chiefly English. A copy of that charter is also given by Worsaae,[b] which was furnished by Mr. Thomas Duffus Hardy from the Patent Rolls, where the word *Custumanni* is written by mistake for *Oustmanni*. The capitals C and O at that time were often so much alike that it was not easy to distinguish them. In that copy the contracted words are extended, and we have "de civitate et communitate Waterford," which certainly appears at first more consistent with the tenor of this record than "de civitate et comitatu Waterford" as the words are given by Leland, who should seem to have derived his copy from the original record at Dublin. On inspecting the Patent Roll from which Mr. Hardy furnished the copy, the words are found to be "de civitate ⁊ com'," which is equivocal.[c] However there was a county of the city of Waterford, and it is not improbable that the grant by Edward I. may have extended to the descendants of Gerald MacGillemory who were resident in that *county*, as well as to those in the city of Waterford; for the descendants of the hostile Ostmen of his kindred, who were dwelling in the Ostmen's town in the reign of Henry II., may have been good subjects under Edward I.

Leland[d] and Sir John Davys[e] mention five families who in early times had the privilege of the law of the English in Ireland, and give their names, but MacGillemory is not one; so that this would appear to have been a sixth family that was so privileged, and was little known. There is a plea in the 3rd Edward II., the year before this record, in which the "quinque sanguines" so privileged are named: they are O'Neil de Ultonia, O'Conoghor de Connacia, O'Brien de Thotmonia, O'Molaghlin de Midia, and MacMurghogh de Lagenia[f].

[a] Vol. i. p. 82. [b] Appendix I.

[c] The copy, furnished by Sir Bernard Burke of this portion of the original record in Dublin, shows that the words of the charter as there enrolled are *literatim* the same as on the Patent Rolls.

[d] Vol. i. p. 82. [e] Davys' Reports, fol. 38. [f] Ibid.

Reynold's Castle is mentioned by Leland[a] as a rallying place of the Ostmen in the time of Henry II. A low circular tower on the quay at Waterford, of which Worsaae has given a wood-cut, is still so called, and by some supposed to be as early as the reign of that King or even older. From this record, however, it appears that in the 4th Edward II. the original castle so called was reduced to *antiqua mota deserta*. If *mota* were there used for the Irish *mothan*, it meant a circular intrenchment of earth; but otherwise at that period it generally signified a mound on which there was or had been a tower or castle.

These remarks having been premised, the Extract from the record follows, with the contracted words at length, except in a few instances where they may be thought doubtful. The frequently recurring &c. is in the original, and is not unusual in similar records.

De Placitis de Corona et Deliberatione Gaole apud Waterford coram Johanne Wogan, Justiciario Hibernie, die Jovis in crastino Sancti Mathie Apostoli, anno regni Regis Edwardi filii Regis Edwardi quarto.

Waterford.—Robertus le Waleys, rectatus de morte Johannis filii Yvor MacGillemory felonitèr per ipsum Robertum interfecti, &c. venit et bene cognovit quod predictum Johannem interfecit; dicit tamen quod per ejus interfectionem feloniam committere non potuit, quia dicit quod predictus Johannes fuit purus Hibernicus, et non de libero sanguine, &c.; et cum dominus predicti Johannis, cujus Hibernicus idem Johannes fuit die quo interfectus fuit, solucionem pro ipso Johanne, Hibernico suo sic interfecto, petere voluerit, ipse Robertus paratus erit ad respondendum de solucione predicta, prout justicia suadebit. Et super hoc venit quidam Johannes, filius Johannis, filii Roberti Le Poer, et dicit pro domino Rege, quod predictus Johannes filius Yvor MacGillemory, et antecessores sui de cognomine ipsius Johannis filii Yvor MacGillemory, a tempore quo Dominus Henricus Rex, filius Imperatricis, quondam Dominus Hibernie, tritavus Domini Regis nunc, fuit in Hibernia, antecessores de cognomine predicti Johannis filii Yvor MacGillemory, legem Anglicorum in Hibernia usque ad hunc diem habere, et secundum ipsam legem judicari et deduci debent et solent. Et unde dicit, quod predictus Dominus Henricus Rex, per cartam suam a tempore primi conquestus Hibernie libertatem predictam omnibus de cognomine de MacGillemoryes dedit et concessit; quam quidem cartam Dominus Edwardus, quondam Rex Anglie, pater Domini Regis nunc, per literas suas patentes ratificavit et confirmavit; et profert literas predicti Domini Edwardi Regis, patris Domini Regis nunc, de confirmatione predicta, que hoc testantur in hec verba:—Edwardus, Dei gratia Rex Anglie, Dominus Hibernie, et Dux Aquitanie justiciario suo Hibernie et omnibus aliis ballivis et fidelibus suis in Hibernia, ad quos presentes litere pervenerint, salutem. Quia per inspeccionem carte Domini Henrici Regis filii Imperatricis, quondam Domini Hibernie, proavi nostri, nobis constat quod Oustmanni nostri Waterford legem Anglicorum in Hibernia habere et secundum ipsam legem judicari et deduci debent, Vobis mandamus quod Gillecrist MacGillemory, Willielmum et Johannem

[a] Vol. i. p. 101.

MacGillemory, et alios Oustmannos de civitate et com' Waterford qui de predictis Oustmannis predicti Domini Henrici, proavi nostri, originem duxerunt, legem Anglicorum in partibus illis juxta tenorem carte predicte habere, et eos secundum ipsam legem, quantum in vobis est, deduci faciatis, donec aliud de consilio nostro inde duxerimus ordinandum. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Acton Burnel quinto die Octobris anno regni nostri undecimo.—Unde predictus Johannes, filius Johannis, filii Roberti le Poer petit pro Domino Rege, quod procedatur ad judicium versus predictum Robertum le Waleys pro morte predicti Johannis filii Yvor MacGillemory, qui est de stirpe predicti Gillecrist MacGillemory, Willielmi, et Johannis MacGillemory, quos (*sic*) predictus Dominus Edwardus Rex, pater Domini Regis nunc, lege Anglicorum in partibus Hibernie uti, et per hujusmodi legem deduci concessit, prout in predictis literis patentibus plenius continetur. Et Justiciarius hic, &c. plenius volens certiorari pro quali predictus Johannes filius Yvor MacGillemory habebatur dum vixit, et utrum ipse et antecessores sui a tempore confeccionis cartarum predictarum poni consueverant in juratis et assisis, sicut et ceteri Anglici de partibus Hibernie, necne, processit ad inquirendum super premissis plenius veritatem per juratores subscriptos, viz.—

Johannem le Butiller, } Milites,
Johannem filium Warini, }
Adam le Poer, juniorem,
Henricum de Whitfeld,
Reymundum le Tailleur,
Johannem de Barry,
Thomam le Poer de Boryn,
Bartholomeum de Kerdiff,
Philippum filium Johannis le Norragh,
Henricum de Ruddeberd,
Johannem Barun de Porthallock,
Willielmum Savage,
Matheum Belescote,
Thomam de Norhampton,
Et Galfridum filium David.

Qui juratores dicunt super sacramentum suum, quod, a tempore quo predictus Dominus Henricus Rex, filius Imperatricis, primo venit in Hiberniam pro conquestu faciendo, fuit quidam magnas nomine Reginaldi MacGillemory, qui fuit dives homo et valde potens in comitatu isto, et fuit manens apud Reynaudes Castel prope portum de Waterford, ubi modo est antiqua mota deserta, et ipse Reginaldus, audiens de adventu predicti Domini Henrici Regis, filii Imperatricis, &c. in Hiberniam, pro conquestu faciendo, &c., et quod idem Dominus Henricus Rex ordinavit applicare cum exercitu et navigio suo in portu Waterford, et in dominio ipsius Reginaldi MacGillemory, idem Reginaldus condere fecit tres magnas cathenas ferreas, quamlibet earum de tanta longitudine quanta tunc fuit latitudo portus Waterford inter predictam motam que vocatur Renaudes Castel ex parte Waterford et terram de Dunbrothy ex opposito, que est in libertate Weysford, et predictas tres cathenas portare (*sic*) fecit ultra portum predictum, et quamlibet cathenarum illarum ex utraque parte portus tendere (*sic*) fecit et firmare (*sic*), intendens per ingenia illa impedire predictum Dominum Henricum Regem (et) magnum (*sic pro* navigium) et exercitum suum ne ibidem possent applicare. Et, cathenis illis non obstantibus, predictus Dominus Henricus Rex cum navigio et exercitu suo ibidem applicuit, et cito postea idem Dominus Henricus Rex cepit predictum Reginaldum MacGillemory, dominum partium illarum, qui cathenas illas construxit, et ipsum, et omnes adherentes sui in comitiva sua inventos, ducere (*sic*) fecit ad villam

Waterford; qui omnes cito postea, per judicium curie ipsius Domini Henrici Regis, pro eorum rebellione tracti fuerunt et suspensi. Et omnes alii, quos idem Dominus Henricus Rex manentes invenit in predicta villa Waterford, per ipsum Dominum Henricum Regem expulsi fuerunt extra eandem villam, excepto uno solo fideli homine de cognomine des MacGillemoryes, qui vocabatur Geraldus MacGillemory, qui semper fideliter se gessit ad pacem ipsius Domini Regis, et qui fuit manens in quadam turre, que modo est valde antiqua et diruta, ex opposito ecclesie Fratrum Predicatorum infra muros ville Waterford. Et idem Dominus Henricus Rex assignavit certa loca extra muros ville predicte singulis eorum, quos sic expulsit a villa predicta, ad faciendum ibidem manciones suas. Et ipsi sic expulsi construxerunt quandam villam ibidem, que modo vocatur Villa Oustmannorum Waterford. Et infra muros ville predicte, ex qua ipsi sic expulsi fuerunt, feoffavit de tenementis ipsorum sic expulsorum diversos homines de comitiva sua, et diversas libertates eis concessit. Et pro magna fidelitate, quam predictus Dominus Henricus Rex invenit cum predicto Geraldo MacGillemory, qui fuit manens in predicta turre infra muros predicte ville Waterford, non expulsit ipsum Geraldum MacGillemory, set concessit ei vitam et membra, et quod ipse et sui manere possent infra villam predictam, sicut prius manserunt. Et postea, per lapsum temporis post reditum predicti Domini Henrici Regis in Angliam, contigit quod burgenses predicte ville de Waterford, et uxores, et alii de familia eorum, quodam die comeno (*sic, sed quære pro* dominico) exierunt muros ville predicte causa ludendi in campis. Et omnes de predicta villa Oustmannorum, primo expulsi ut predictum est, inierunt consilium, ut burgenses ville predicte et suos interficerent, et consilium illud miserunt in actum, et interfecerunt die illo omnes burgenses ville predicte quos extra muros invenerunt, et eorum uxores ceperunt, et cum ipsis duxerunt. Ob quod orta fuit guerra inter ipsos de villa Oustmannorum Waterford, qui predictos burgenses sic interfecerunt, et illos qui residui fuerunt infra muros ville predicte, post occasionem predictam, et duravit guerra et dissensio illa per magnum tempus. Et predictus Geraldus MacGillemory, qui fuit manens in predicta turre infra muros ville predicte, fideliter et viriliter per se et suos custodivit villam predictam et eam defendidit, tam contra omnes Oustmannos primo expulsos, ut predictum est, et de quibus aliqui fuerunt parentes ipsius Geraldi MacGillemory, quam contra quoscunque alios qui fuerunt ex parte predictorum Oustmannorum, usque ad iteratum adventum predicti Domini Henrici Regis in Hiberniam. Et quando Dominus Henricus Rex in adventu suo apud Waterford audivit de magna fidelitate predicti Geraldi MacGillemory, et qualiter bene se gesserit in defensione ville predicte, tam contra Oustmannos qui fuerunt de parentela et cognomine ipsius Geraldi MacGillemory, quam contra omnes alios Oustmannos primo expulsos, &c. ut predictum est, idem Dominus Henricus Rex, ad instantiam et rogatum ipsius Geraldi MacGillemory, concessit tam ei quam aliis de parentela sua Oustmannis Waterford, quod ipsi a tempore illo legem Anglicorum in Hibernia haberent, et secundum ipsam legem judicati et deducti fuissent. Requisiti, si predictus Johannes filius Yvor MacGillemory, quem predictus Robertus le Waleys interfecit, sic de stirpe predicti Geraldi MacGillemory (fuit) cui predictus Dominus Rex libertates predictas concessit; dicunt, quod sic. Requisiti, si predictus Johannes filius Yvor MacGillemory, seu aliquis antecessorum suorum post cartam et confirmacionem predictas, poni consueverunt in juratis et assisis sicut Anglici, &c.; dicunt, quod quidam Willielmus MacGillemory, consanguineus predicti Johannis, est liber tenens in isto comitatu; et tenet omnes terras suas de domino Rege in capite in eodem comitatu, faciendo [sectam] com' Waterford de com' in com'. Et tam predictus Johannes, quam predictus Willielmus, hactenus

poni consueverunt in juratis et assisis, sicut et ceteri Anglici comitatus, &c. Requisiti, si aliquis de stirpe et cognomine predictis hactenus interfectus fuit, et ille qui ipsum interfecit captus et in curia Domini Regis de morte illa arenatus ; dicunt, quod quidam Robertus filius Watyni le Poer, tempore Domini Edwardi nuper Regis Anglie, patris Domini Regis nunc, interfecit quendam Gillecrist Mac Gillemory, et de morte illa arenatus fuit in curia Domini Edwardi Regis, patris, &c., jam circiter viginti annos elapsos, et ipse Robertus in eadem curia dixit, quod clericus fuit, et quod non potuit nec debuit ibidem inde respondere. Et super hoc venit Episcopus Waterford qui tunc fuit, et petiit ipsum Robertum ei liberare (*sic*) tanquam clericum, &c. Et comperto per inquisitionem xii juratorum, &c. quod predictus Robertus filius Watini le Poer culpabilis fuit de morte predicta, idem Robertus liberatus fuit predicto Episcopo, tanquam clericus de morte predicta convictus, et custodiendus sub pena in hujusmodi casu provisa. Requisiti, qua de causa predictus Robertus le Waleis prefatum Johannem filium Yvor MacGillemory interfecit; dicunt, quod idem Johannes jurator fuit in quadam inquisitione, simul cum aliis juratoribus, &c. coram Vicecomite Waterford ad dicendum qui fuerunt latrones et receptores latronum in comitatu isto, et similiter ad dicendum veritatem coram eodem Vicecomite de aliis articulis placitorum coronæ Domini Regis ; et quia predictus Robertus le Waleys in inquisitione illa indicatus fuit, ipsum predictum Johannem filium Yvor MacGillemory interfecit, ut predictum est. Requisiti, a qua terra le MacGillemoryes successores (*sic pro* antecessores) predicti Geraldi MacGillemory primo venerunt, et utrum fuerunt Hibernici in terra Hibernica, necne; dicunt, quod per relatum antiquorum hominum hactenus audiverunt, quod omnes les MacGillemoryes venerunt de Denom in Hibernia, diu ante conquestum quem predictus Dominus Henricus, filius Imperatricis, fecit in Hibernia, &c. IDEO predictus Robertus le Waleis recommittatur gaole pro judicio suo expectando, &c. Et data est dies ei de judicio suo audiendo coram, &c. a die Pasche in xv dies ubicunque, &c. Postea de gratia, &c. predictus Robertus le Waleis dimittitur per manucapcionem, et de ejus manucapcione patet in Rotulo de manucapcione de hoc termino, &c.

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ADDENDA OR CORRECTIONS, VOL. XXXVII.

"Notices of the last Great Plague," *ante*, p. 2, note [c], and p. 8, note [a].—There is little doubt that the Rev. John Allin, of Rye, was the person who graduated at Harvard University in 1643, and it is certain that he was son of John Allin of Wrentham, afterwards the first minister of the church of Dedham; for that minister in his will, dated 23 Aug. 1671, and proved on the 31st of the same month, gives to his beloved first-born son, John Allin, "now in England, whom I have educated in learning," &c. such part of his estate as would give him a double portion, according to the custom of New England.—*Ex inf.* the Hon. Judge (C. H.) Warren, of Boston.

"Some passages in the Life of a Herefordshire Lady during the Civil War," page 214.—Instead of "Sir Gilbert Gerrard," who had been some time Governor of Worcester for Charles I., but died in January 1644 (Noake, Notes and Queries for Worcestershire, p. 3), it should be "Sir Charles Gerrard," who, in the latter end of that year or early in 1645, was appointed by Prince Rupert Governor-General of South Wales. He accompanied the King after the battle of Naseby into that country, where the Royalists attempted to raise levies. In the course of the summer he was made Lord Gerrard of Brandon, in the county of Suffolk. See Sir Edward Walker, Historical Discourses, fol. 1705, p. 116.

P. 457. Post*h*umus should be Postumus.

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